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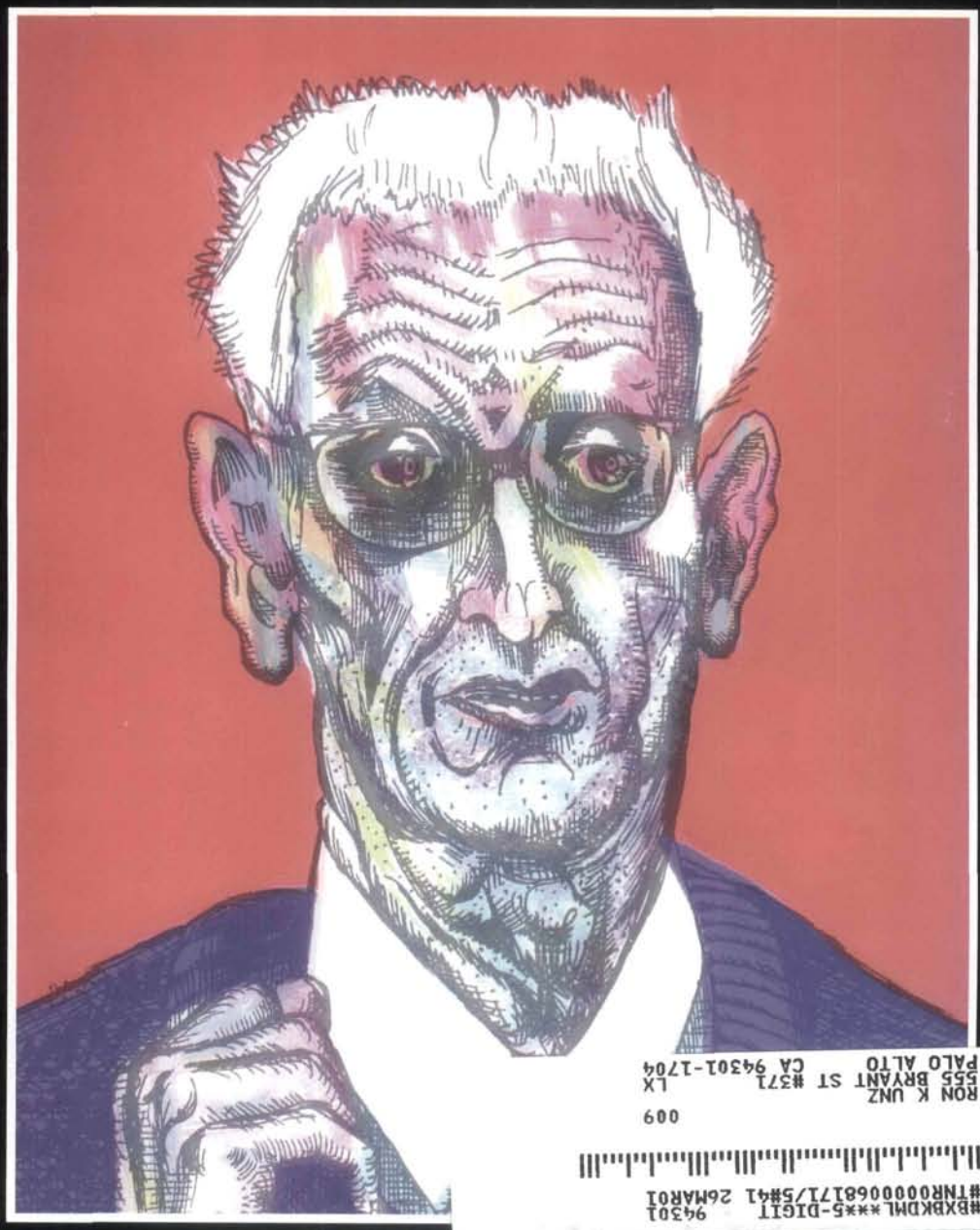

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THE NEW REPUBLIC

A Weekly Journal of Opinion

MAY 26, 1997

FOUNDED 1914
WASHINGTON, D.C.
ISSUE 4,297

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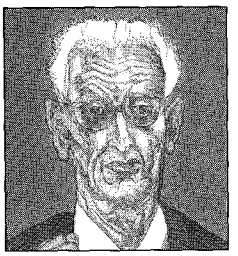

Cover by Eric Baker for THE NEW REPUBLIC. Illustration by Gary Panter. Article on page 22.

4 **CORRESPONDENCE** Sidney Blumenthal v. Tony Judt, Thomas Nagel v. Michael J. Sandel &c.

6 **MICHAEL KELLY** TRB: WONK NEW WORLD The era of big government is over; the era of *really* big government has begun.

7 **THE EDITORS** BIG DEAL Does the balanced budget agreement really matter?

8 **NOTEBOOK** Spring fever: sap rises all over, the *Post* rises above morality, the moralists sink *Lolita* &c.

10 **GERRY CARDINALE** SINGAPORE POSTCARD: GOOD CLEAN FUN Sex, authoritarianism and Asian values.

11 **DAVID GRANN AND SARAH PEKKANEN** ON THE HILL: THE GAMES BEGIN As the peacekeepers flail, Congress readies itself for an ethics Armageddon.

14 **STEPHEN GLASS** AFTER THE FALL The myth is that Ralph Reed left behind an almighty Christian Coalition. The truth: he deserted a listing ship.

18 **RUTH SHALIT** FATAL REVISION A jury, a best-selling book and a TV movie all found Jeffrey MacDonald guilty of murdering his family twenty-seven years ago. What if they were wrong?

22 **MICHAEL BETZOLD** THE SELLING OF DOCTOR DEATH How a savvy lawyer and a pliant media turned a mad scientist into a public hero.

29 **MICHAEL J. SANDEL** THE HARD QUESTIONS: LEMON AID The merit of merit scholarships.

30 **STANLEY KAUFFMANN** ON FILMS: IN A CRUEL CITY *La Promesse* is a masterful moral drama made by two Belgian brothers.

32 **SHERWIN B. NULAND** HATE IN THE TIME OF CHOLERA *Quarantine! East European Jewish Immigrants and the New York City Epidemics of 1892* by Howard Markel

38 **MARK FORD** SPAWN OF FANTASIES *The Lost Lunar Baedeker: Poems* by Mina Loy, selected and edited by Roger L. Conover; *Becoming Modern: The Life of Mina Loy* by Carolyn Burke

40 **HENRI COLE** POEM *Jealousy*

42 **ANTHONY PAGDEN** MISRULE BRITANNIA *The Rise and Fall of the British Empire* by Lawrence James

46 **ANN HULBERT** WASHINGTON DIARIST: BRAINSTORMS

THE NEW REPUBLIC, Vol. 216, Number 21, Issue 4,297, May 26, 1997. (Printed in the U.S. on May 7, 1997.) Published weekly (except for combined issues dated Jan. 6 & 13, July 14 & 21, Aug. 11 & 18, and Sept. 8 & 15, 1997) at 1220 19th Street, NW, Washington, DC 20036. Telephone (202) 331-7494. The New Republic Advertising Sales Office (212) 702-4882. Yearly subscriptions, $69.97; foreign, $99.97; Canada, $84.97. Back issues, $3.50 (includes postage & handling).

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(ISSN 0028-6583). Periodicals postage paid at Washington, DC, and additional mailing offices. Indexed in Readers' Guide, Media Review Digest. Microform, Canadian Periodical Index, CD-ROM, issue and article copies are available through University Microfilms Intnl., 300 N. Zeeb Road, Ann Arbor, MI 48106. Telephone 1-800-521-0600. Internet mail address: tnr@aol.com Member, Audit Bureau of Circulations. Unsolicited manuscripts can be returned only if accompanied by a stamped, self-addressed envelope. Subscribers: Please send all remittances, changes of address, and subscription inquiries to Subscription Service Dept., The New Republic, P.O. Box 37298, Boone, IA 50037-0298. For subscription problems call 800-827-1289.

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CORRESPONDENCE

Mao or never

To the editors:
Jacob Heilbrunn's "Mao More Than Ever" (April 21) contains serious errors of fact and interpretation.

First, partial de-Maoization was not simply the work of "party scholars." In 1981, the party leadership issued an authoritative document criticizing Mao's conduct during the Great Leap Forward and assigning "chief responsibility" to him for the "errors" of the Cultural Revolution. The critique was wholly inadequate but was far more serious than Heilbrunn indicates.

Second, Heilbrunn correctly notes that the Great Leap famine of 1958-61 has not been publicized in China. But there are far more open sources on the famine available in China than Heilbrunn is aware of. For instance, some of China's annual statistical handbooks show that the rural death rate leaped forward from 11.07 per thousand in 1957 to 28.6 per thousand in 1960. References to the famine can also be found in academic journals and novels.

Third, Heilbrunn is simply wrong in asserting that a Maoist comeback is in the offing. There are leftist politicians in China who oppose the hiring of labor and the privatization of state industry, but they have little or no power. As the regime's founding father, Mao will continue to be revered. But this in no way implies that Maoism is about to return.

THOMAS P. BERNSTEIN
New York, New York

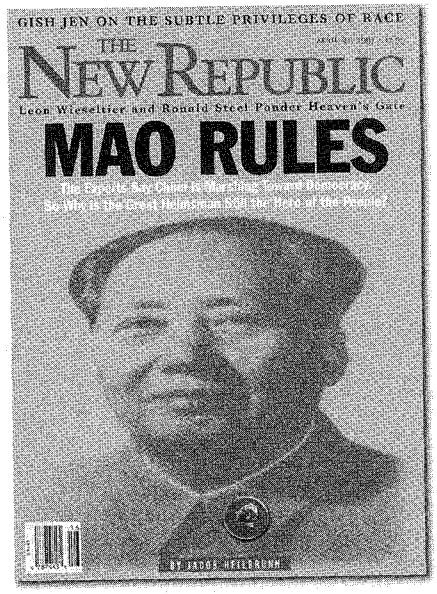
Jacob Heilbrunn replies:
Thomas Bernstein has elevated quibbles to new heights. My reference was to the party scholars who drafted the 1981 report; I went on to quote Deng Xiaoping himself on Mao. My allusion to the confiscation of a Shanghai University journal was hardly meant to imply that no information has circulated on the famine. But it is important to remember that there are still no reliable numbers about the death totals in China.

Hissing

To the editors:
I am somewhat baffled by Tony Judt's overheated review ("The Dualist," April 14) of my review in *The New Yorker* of Sam Tanenhaus's biography of Whittaker Chambers. My views about Alger Hiss and Whittaker Chambers, very briefly, are that Hiss was very likely guilty and that Chambers was very likely in love with him. I would have thought that these notions could have been dealt with in TNR without resort to vituperation and distortion.

SIDNEY BLUMENTHAL
Washington, D.C.

Tony Judt replies:
Sidney Blumenthal really ought to allow a decent interval before airbrushing his own statements. *The New Yorker* is still quite widely read, and Blumenthal's ludicrous reduction of Chambers's anti-communism to a case of unrequited love was embarrassingly explicit. In his place, I would have been more upset at my suggestion that Blumenthal's perspective


GISH JEN ON THE SUBTLE PRIVILEGES OF RACE
THE NEW REPUBLIC
Leon Wieseltier and Ronald Steel Ponder Heaven's Gate
MAO RULES

was provincial and self-serving, but perhaps he thought that was a fair comment.

Gray matter

To the editors:
With respect to "Shades of Gray" (April 14), a couple of corrections. Contrary to Hanna Rosin's article, President Bush never hosted a $9 million fund-raiser at the White House, or any other fund-raiser there; as Dick Morris's own account documents, the Clinton White House fund-raising was "unprecedented." The $9 million event referred to was the so-called President's Dinner at the Convention Center involving some 4,000 people. As for foreign-funded travel, there were six—not 179—trips by the Bush White House paid for by foreign sources, and the sources were all nonprofit, unlike the current White House. I made one such trip, not two, paid for by the World Economic Forum

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in Davos, Switzerland, where I accepted an invitation to speak. As for my own donations, I was not the party's largest soft-money donor in 1995, and the fund-raiser at my house was not for "soft money." As for Citizens for a Sound Economy, I'm not sure what the criticism is exactly, but, lest there be any misunderstanding, CSE is nonpartisan and does not contribute to candidates or parties.

C. BOYDEN GRAY
Washington, D.C.

Hanna Rosin replies:

Here is a fine specimen of hair splitting. Okay, so the $9 million dinner was not held at the White House. It was too big for the premises. But it was a White House-sponsored event, and those generous enough to buy enough tickets to fill two whole tables were invited to a "private reception hosted by the President and Mrs. Bush at the White House," according to the invitation. This White House-run dinner set its own records: it was then the largest fund-raiser in U.S. history, and the first to shamelessly exploit the soft-money loophole. As for the trips, Gray conveniently forgets that his ire was directed at Clinton's "foreign or domestic trips," which accounts for the difference. Gray was the largest soft-money donor among Washington lobbyists. Two fund-raisers at Gray's Georgetown home with Haley Barbour and Newt Gingrich raised $1.5 million for the Republican Party. Maybe Gray is referring to some other dinner he has held there.

In brief

To the editors:

In criticizing the brief that my colleagues and I submitted to the Supreme Court, Michael J. Sandel ("Last Rights," April 14) claims that if a government does not forbid assisted suicide it endorses the position that suicide is morally permissible. As usual, he confuses two types of questions: (a) questions of democratic political theory, having to do with the limits to the authority of legislative majorities over the personal lives of individuals; and (b) questions of personal morality, having to do with how individuals should lead their lives. Both types of questions are moral and often highly controversial, but there is no simple logical connection between them. A central element of political liberalism, which Sandel has never been able to understand, is that there can be moral justification for denying the state the authority to force individuals to conform in their personal lives to certain moral or religious norms, even if those norms are accepted by most members of the society. Anyone interested in reading the brief can find it reprinted in the March 27 issue of *The New York Review of Books*.

THOMAS NAGEL
New York, New York

Judge not

To the editors:

Gish Jen is incorrect to assume that she was intentionally given "a disproportionate number of novels written by Asian Americans" as part of judging the Ernest Hemingway Foundation/PEN Award for First Fiction ("Who's to Judge?," April 21). Books submitted for the Hemingway Award are first screened in-house; those that make the first cut are divided equally among the three judges, who at any point can ask to see a book sent to another panelist, or one that was eliminated. Jen's co-judges were Lydia Davis and Jim Grimsley, both of whom were nominated for the Hemingway Award in previous years. Apart from Davis's request to see books written in an "avant-garde" or "experimental" style, the distribution of submissions was strictly arbitrary. If Gish Jen believes she was singled out to receive novels by Asian Americans, does she also think I purposefully sent Jim Grimsley those written by gay authors?

As far as I know, nobody at PEN American Center's offices would go to such unprofessional lengths, in the name of multiculturalism, to put Gish Jen in the position of having to defend herself from those churlish enough to accuse her of pro-Asian American bias. But, in point of fact, I haven't heard anyone raise the question of such bias except herself.

JOHN MORRONE
PEN American Center
New York, New York

Gish Jen replies:

Many thanks to John Morrone for his unwitting support of my piece. He begins by defending himself where there is no attack: as I clearly stated, I was entirely comfortable with the idea that I might have received a disproportionate number of books by Asian Americans. My impressions were based on the fact that this category formed 17 percent of my first-round reading. I doubt this was true of the reading assigned my fellow judges.

Morrone's closing claim is as irrelevant as his opening defense. I am hardly the only person in America to believe that an Asian American judge of a contest in which two out of three finalists are of Asian descent has reason to consider her situation. Morrone proves himself capable of denying the obvious not only in private but in print.

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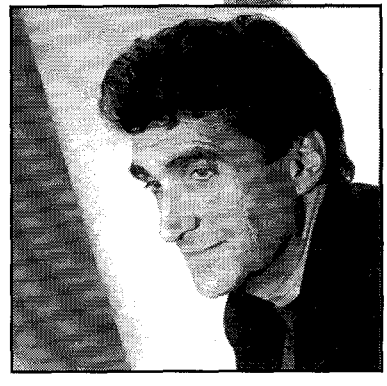
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FROM WASHINGTON

Wonk new world

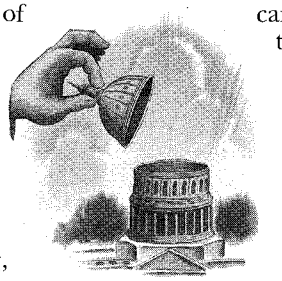
I am an old man, and I sit on my porch watching the world go by. Watching the world go by became a major pastime again after the enactment in 2020 of the Communications Sweetness and Light Act, which built upon the Communications Decency Act of 1996, the Communications Wholesomeness Act of 2000 and the Communications Purity of Spirit Act of 2008, and which pretty much finished off what there was worth watching on the tube.

I smoke my pipe. Well, not "smoke" exactly, and not "pipe," really. It's shaped like a pipe, but it's made of solid recycled farm-raised maple. It has no bowl, no hollow stem. Real pipes have been illegal since the first year of the first Rodham administration. The pipes were the last of the regulated Nicotine Delivery Systems to be phased out; cigarettes of course were the first, banned by Surgeon General Brazelton in 2002, followed by cigars in 2005 and smokeless tobacco in 2006.

A lot of people still illicitly smoke, of course; and you can score snuff on any inner-city corner, and there are kits you can buy to convert a solid pipe into a fully hollow one. But since the passage of the "three puffs and you're out" bill, I haven't really wanted to take any chances with the law.

I watch my grandson M (they shortened all names to initials in '07, part of President Gore's Fourth Reduction in Paperwork Act) pedaling his bike up the sidewalk. He's coming home from his volunteer work at the recycling center. He volunteers for something every day. Well, you have to, of course. In the first year after passage of the Restoration of the American Community Act, they tried voluntary volunteerism, but it didn't work at all. It turned out the only people who wanted to volunteer were already volunteering for a lot of things, and didn't want to do any more, except for ex-President Carter. Lord, he was busy that year. Anyway, after a year, Volunteerism Czar Etzioni instituted the all-draft volunteer force, and after that everything went pretty smoothly, except for the expected problems with draft-dodgers—people trying to duck their duties by signing up with the Army and that sort of thing.

M is 14 now, and next year the mandatory training wheels can come off his bike. I can see that he is getting bored riding (with the governors they put on the new bikes, you can't go much faster than one of those old pre-Info Wars modems), and I call him over to chat. As he walks up the path, it's clear that he is itching to take off his helmet, but he doesn't. The regulations say you have to keep the helmet on for a full minute after disembarking from your bicycle, and he's a good boy. Besides, a helmet is required for any form of locomotion at any speed exceeding that determined to be safe by the Recreational Safety and Health Administration (RSHA) according to the age, weight and health of the locomotor, surface upon which the locomotor is locomoting, adjoining surfaces, incline or decline if any, and weather conditions. It's all very complicated, and most people just figure it's easier to wear the helmets any time they are moving at all, to be on the safe side.



M walks up the differently-abled access ramp to the porch. He used to enjoy using the stairs, but they banned stairs last year; people just wouldn't stop using them, even though they knew it was against the law to flaunt their abledness. They tried prosecuting stair-climbers, but the ACLU challenged the law, arguing that, under First Amendment rights, stair-climbing was, in certain circumstances—including but not limited to climbing the stairs of a public building and using a Stairmaster—a form of protected speech. After the Estrich Court ruled for the ACLU in a split decision, the Justice Department backed down for a while, but Attorney General Reno, in her famous "end it, don't mend it," speech, proposed outlawing stairs entirely. The measure was immediately passed by a focus group of six representatives and three senators (under the terms of the 2011 Morris-Luntz Government Flexibility Act, legislation could be passed by focus groups convened by licensed pollsters, thus doing away with the unwieldy and time-consuming process of actual head-count voting, and allowing the representatives of the people to spend more time in their districts). So that was that for stairs.

M sits down on the hammock (it turned out chairs were really tough on your back, and, as Food and Drug Administration Director Michael Jacobson pointed out in his seminal testimony on the matter, the costs incurred by chair-sitters with all their chiropractic sessions and massage therapies were passed on to all of us in the form of higher premiums for Medicare, Part E; so that was that for chairs). He turns to me.

"M," he says to me (we share the same initial; according to the Fifth Reduction in Paperwork Act, all same-sex members of a family unit may "employ no more than 1.5 initials," and no one knows what .5 of an initial is). Our house signer draws the letter in the air: a big fancy "M." Under the bipartisan Kennedy, Kennedy, Kennedy & Thurmond Act of 2012, which combined the Fourth Amendment to the Americans With Disabilities Act with the Sixth Amendment to the Personal Responsibility and Work Opportunity Act, the government mandated signing for the hearing-challenged in any conversation involving two or more persons conducted in any setting defined as public, semi-public, or quasi-private; and then it put everybody still on welfare to work training everybody else as signers. So we are all signers now. To be honest, a lot of people don't take it very seriously. You see a lot of bad grammar and slang out there. Then, of course, there have been the usual identity problems to sort out. The furor over House Majority Whip Maxine Waters's proposal to mandate Ebonics signers for any conversation taking place in an area where it might infringe upon the space of a hearing-challenged African American was deeply troubling. God knows what would have happened if Senator Biden had not defused the issue with his proposal for a $225 million program to study the whole issue, under the auspices of a recognized leader in the Ebonics field, the Maxine Waters School of Government.

"Yes, my boy," I say. The signer looks askance, and I know I've made some sort of mistake again.

"It's the 'my boy,' " says M, helpfully. "That's genderism, grandperson."

"Oh, yes," I say. "Well, what is it, my young one?" Again no movement from the signer.

"Ageism, grandperson."

"Right. Well then, how about it, my person in his or her own right?" The signer beams approvingly, and makes a flurry of motions.

"Grandperson," says M, "tell me again about the time when the era of big government ended."

MICHAEL KELLY

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THE NEW REPUBLIC

MAY 26, 1997

BIG DEAL

This magazine spent the 1980s and early 1990s counseling fiscal restraint. We did so because the huge, chronic budget deficits racked up by the Reagan and Bush administrations and the Old Democratic Congress stunted long-term economic growth and symbolized the inability of the voting public to accept, or their elected representatives to demand, sacrifice for the common good. We believed that balancing the budget was necessary to assuage these blights. We think so still, generally speaking, but last week's budget deal was a reminder that necessary is not the same as sufficient. A balanced budget can ignore, or even aggravate, the ailments that budget balancing ought to remit. And this is the case with the deal between President Clinton and the Republican leadership, a deal so easily hatched, and so widely adored, because it is tangential to the nation's fiscal health. This isn't so much a bad budget as a by-the-way budget.

The problem with the agreement is not the deficit number itself, but the way it gets there. The plan showers tax benefits on, with ascending generosity: the middle class, the upper middle class and the super wealthy. It may be too much to expect Clinton and the Congress to mitigate widening income inequalities, but they should at least not worsen them. It could be argued that such noxious redistribution would be worth the cost if this budget put the country on sounder fiscal turf. But it doesn't.

Five years ago, with a deficit of $290 billion and rising, the United States had a serious short-term budget problem. The 1993 budget agreement, and the economic growth that ensued, solved it. The deficit now stands at $75 billion, about 1 percent of the Gross Domestic Product—the macroeconomic equivalent of a rounding error. Continued economic growth could well wipe it out without any budget accord at all. Balancing the budget in five years is a solution to a virtual non-problem.

The fetishization of two arbitrary numbers—zero deficit, year 2002—has focused attention on the unimportant short-term deficit while overshadowing the crucially important long-term deficit. When the baby-boomers begin to retire in fifteen years, Medicare and Social Security costs will explode. How do we prepare for this trauma? Invest more and consume less. Last week's pact helps by decreasing the interest payments future taxpayers make on past debt and increasing the savings pool available for private investment. But, in other ways, it exacerbates the long-term deficit danger. By paying for costs that will shoot up after five years—like tax cuts—with savings that will disappear after five years—like one-time sales of government assets—it sets the stage for future red ink.

Worse, it slashes programs that promote investment and largely spares those that encourage consumption. Domestic spending is divided between entitlement spending—checks from Uncle Sam—and discretionary spending. Discretionary spending includes federal investment in infrastructure, scientific research, education and public safety. Such investment boosts economic productivity and hence makes it easier to support future retirees. (The more workers produce, the more they can afford to give Grandma.) But discretionary spending has declined from about 5 percent of GDP in the early 1980s to 4 percent today, in order to make room for entitlement spending. And the budget deal slices discretionary spending to about 90 percent of its current level. Why did the budgeters do it? Because cutting an entitlement means taking money away from specific people. Lowering discretionary spending only means capping future spending and letting prospective Congresses decide where to cut. More savings come from unspecified future defense spending cuts. (Remember before the election, when Clinton and Congress were tripping over each other to bolster the military? Apparently the world's a safer place since November.) All together, defense and discretionary spending account for over three-fifths of the net budgetary savings.

The budget partly redeems itself by cutting Medicare, which will prolong the trust fund's solvency another ten years. In so doing, it signifies a growing, and overdue, recognition by Democrats of the need to scale back entitlements. But Republicans make no such concession to reality. They continue to believe they can balance the budget while refusing to ask their political base to sacrifice what it loves most: tax cuts. They continue with the fiction that the only ones who need to belt-tighten are faceless bureaucrats. "Under this budget agreement, official Washington must learn to make do with less, while Americans will keep more of what they earn," crowed Majority Leader Trent Lott. This is the opposite of the correct lesson. The long-term deficit crisis will only abate when the American public realizes that it, rather than some nebulous, bureaucratic other, must ultimately bear the cost of fiscal stability. The budget pact postpones that day of reckoning. •

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NOTEBOOK

SEXUAL DEVOLUTION: Spring is in the air. A few weeks ago, faithful readers will recall, several Nevada state legislators tried to tour a local whorehouse. Now we hear that, in California, two porn stars hand-delivered a few X-rated clips of their best work to State Senate Majority Leader Charles Calderon, with a personal invitation to join them at a strip club. And this, too, from *The San Francisco Examiner*: news of local political consultant Jack Davis's 50th birthday bash, which featured male and female strippers, a 300-pound S&M devotee performing oral sex and a dominatrix peeing on a pal. Like most other things these days, the pheromonal fever seems to have devolved down to the states from the feds. Just a few months ago, U.S. Supreme Court Justices had their clerks checking out steamy Internet sites; and last year at this time, then-Representative Bob Dornan had the House National Security Committee perusing *Playboy* and *Hustler* to determine whether those fine publications were appropriate reading material for the military. Who says politicians are out of touch with the common man?

SPIES LIKE US: Still wondering why journalists are such suspect citizens? Consider a scene that transpired last Tuesday over lunch at Nora, a trendy Washington restaurant. Fifty or so media and political chummies gathered to discuss a dilemma raised in *A Firing Offense*, a new spy novel by a *Washington Post* editor, David Ignatius. In the book, a Washington reporter cultivates sources at the CIA, who later ask him for a favor. Will he, while traveling in China, pass a message to a scientist that could not only save the scientist's life, but possibly prevent China from developing a horrific new biological weapon? At the lunch, Ignatius asked Bob Woodward what he would do. Considering the extraordinary circumstances, Woodward said he would pass on the message, as long as his *Washington Post* bosses approved. It so happened that one of those bosses, *Washington Post* Executive Editor Leonard Downie Jr., was also at the lunch, and Downie rather passionately announced that, far from approving Woodward's secret mission, he would resign from the paper rather than allow it to go forward. Downie, who doesn't vote in order to prevent himself from having political opinions, apparently sees journalists as a priestly class above national security, citizenship, even life and death—as if we didn't have a high enough opinion of ourselves already. What if it were not the Chinese, someone asked, but the Nazis? Downie held to his position, if wiltingly: "Usually we look for alternatives. . . ." *Usually*? How often does this question come up at the *Post*?

FEMME FATALE: The coming out of "Ellen"—and Ellen—in April made the entertainment world safe for lesbianism. But if that taboo has been breached (not to mention marketed), it appears another has returned. At least five major Hollywood film studios have declined to distribute a remake of *Lolita*, made more than a year ago by a French conglomerate. The film stars Jeremy Irons as the pedophilic Humbert Humbert and 15-year-old Malibu high-schooler Dominique Swain in the title role immortalized by Vladimir Nabokov's novel. Hollywood frets that the movie could be prosecuted under the Child Pornography Prevention Act of 1996—which bans the depiction of minors engaging in sexual acts. Or, worse, be boycotted by the new culture mavens on the right and left. Never mind that the film's most graphic sex scenes have been drastically edited, and that it has received an R rating, rather than the tougher NC-17 mark. And never mind that this is the same industry that brought us such slices of wholesomeness as *Crash*, *Kissed* and *Showgirls*. The Great Books lose again.

SURFING SADDAM: It seems that Saddam Hussein is taking lessons from the Great Satan himself. Only two months ago the official government newspaper—which editor Saddam approves word by word—denounced the Internet as "one of the American means to enter every house in the world." "They want to become the only source," the editorial warned, "for controlling human beings in the new electronic village." Well, not the only one. Last month, the "supreme general" celebrated his 60th birthday on *his* web site, complete with photos of him at 6. There is just one kink in Baghdad's new communication blitz: most of Saddam's subjects are barred from surfing the Net.

GUNSLINGERS: After his re-election as head of the National Rifle Association last week, Wayne LaPierre crowed that the NRA had squashed its radical fringe. "Their rap on me is, 'Wayne's too moderate, he's too nice.' " How sweet is the little lambiekins? Here's a sampling of Wayne's sugary sentiments. On federal agents: "[They are] armed terrorists dressed in Ninja black. . ." (1995 NRA fund-raising letter). On President Clinton: ". . . we're going to help clean your clock in 1996" (NRA convention, May 1995). On moderation: "They float stories about my being 'moderate.' When it comes to government erosion of our Second Amendment rights, I am as hardline as they come. I will fight anywhere, anytime, and fight to win" (*American Rifleman*, March 1997). Thank God the radicals didn't prevail.

OOPS: Last month *Newsweek* published a warm nuzzle of an issue called "Your Child," with tips to mommies on how to keep their tots happy and healthy. This month they published a dire correction: "A chart entitled 'Building Healthy Habits' on page 58 contained a serious error," the editors fretted. "Five-month-old babies should not be fed zwiebacks or raw carrot chunks. Though many infants are ready to try puréed solids between 4 to 6 months, raw carrots and other hard foods could cause choking." And no steak and cheese subs, either. •

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SINGAPORE POSTCARD

GOOD CLEAN FUN

By Gerry Cardinale

On an otherwise typical night here in February, a fleet of white limousines pulled up to the front entrance of the Four Seasons hotel and disgorged Hollywood, or at least a sizable chunk of it: Sylvester Stallone, Bruce Willis, Jean-Claude Van Damme, Wesley Snipes, Jackie Chan and even Cindy Crawford. The stars came out to help celebrate, if that is the right word, the opening of the latest restaurant in the Planet Hollywood chain, which every day, it seems, brings bad food and James Dean's sunglasses to yet another city. The local guest list was, in its own small way, nearly as insular and as elite as the out-of-towners' brigade. Singapore is a small town, and the same VIPs are invited to every big event that comes around—politicians, millionaires, billionaires, socialites, the faces and names that fill the gossip pages every week.

And there was another contingent present as well. Amid the procession of stretch limousines, white Mercedes-Benzes, purple Porsches and yellow Ferraris appeared a fleet of taxi cabs carrying a platoon or so of beautiful women. "Who are the babes?" whispered an onlooker, watching the parade of miniskirts do a catwalk strut to the front door. Most people, though, probably guessed who the babes were, and what they were here for. As the professionals presented their credentials to the security guards in a babble of accents and languages—English, Russian, Australian, Malay, Thai, Chinese—an American hotel guest approached the concierge. "I didn't think those things were allowed here," he said, in a tone of disbelief. "Hey, this is Singapore," said the concierge.

So it is. In the Western caricature, Singapore, with its anti-gum fetish and vaunted "Asian values," is the Orwellian police state that caned American teenager Michael Fay and imprisoned rogue trader Nick Leeson. But live in Singapore for a while, and you arrive at a rather different view of the island: it is, in its own peculiar way, sin city. Sure, Singapore is sterile and authoritarian, but it is also home to a booming sex trade. It's just that, as with every other aspect of society, Singapore has found a way to regulate the sale of sex, to clean it up, to give it, even, respectability. Most cities ban prostitution, or seek to drive it as underground as possible. This city-state wants it out in the open, where it can be controlled. Prostitutes are required by law to register with police and to undergo mandatory biweekly medical checkups. They must carry with them, as they make their business rounds, yellow cards certifying that they are free of disease.

Orchard Road is one of Singapore's main commercial strips, a cross between Rodeo Drive and Times Square, where high fashion boutiques, shopping malls and five-star hotels mix with nightclubs, karaoke bars and massage parlors. It is also the center of upscale prostitution in Singapore. Every evening, the ladies with the yellow cards (and some who are not ladies; transsexuals and transvestites make up a sizable percentage of the street trade) sashay down Orchard Road. Along the boulevard, they beckon to potential customers as they strut to the sounds of the Gypsy Kings and the "Macarena."

The prostitutes' main point of congregation is outside Orchard Towers, a swank complex of nightclubs and karaoke bars that look, at first glance, like any other in Asia, except that all the men are Western and all the women are Asian. The Towers' predominantly expatriate clientele know it as "Four Floors of Whores." It is packed with businessmen eager to meet attractive, well-dressed and certified virus-free women from Thailand, Malaysia, Indonesia, Laos and even Mongolia. This companionship, like everything else in Singapore, does not come cheap. Prices vary from $300 to $1,000 for a range of sexual favors, and, lest anyone haggle too aggressively, armed Singaporean policemen stand vigilant by the main entrance.

There is downscale prostitution on the island as well, and this is relegated to its own part of town, a seedy residential area known as Geylang, where a series of houses and motels have been converted to brothels. But Geylang caters almost exclusively to migrant construction workers from Bangladesh and Sri Lanka, and it is rarely visited by tourists or expatriates. Certainly, Geylang is not much frequented by native Singaporeans. It is, after all, a dirty, messy place.

Sex doesn't merely sell itself in Singapore; it sells everything else, too. On Singapore's public buses and trains, Wonder Bra and women's underwear advertisements proliferate. Many Singaporean women are obsessed with their bust size, largely because they view large breasts as a prime attraction for Western men, and they view Western men as prime catches. An ad for one of Singapore's most prominent commercial banks features a scantily clad woman riding a phallic rocket. This sort of thing seems odd in a country so determined to insulate itself from pornography that it has banned *Cosmopolitan* magazine, and recently issued a ruling that made it a crime to be seen naked or semi-nude through the window of your own home. But the contradiction doesn't seem to bother anyone here. Or, if it does, nobody protests too loudly.

Probably, there is not much the government can do to stamp out sex in a place of such tremendous prosperity. For whatever reason, rampant capitalism always seems to mean rampant sex; almost wherever you find

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people flaunting their money, you also find them flaunting their epidermis. Nowhere is this more apparent than in the phenomenon known as the Singapore Party Girl, or SPG. SPGs are Singapore's version of Silicon Valley mall chicks—young, typically middle-class women in their early to mid-20s, defined by their uniform look—impeccable tan, invariable cigarette, unstoppable attitude; skimpy miniskirt, Wonder Bra and bare midriff. The SPGs have become so famous that they have made the funny pages, with a comic series in Singapore devoted to their wanton ways. Generally found on the arm of expatriate white males who occupy lucrative positions in the banking, consulting and service industries, the SPGs manifest a Western influence that Singapore's ruling elite fears, obsesses over and desperately wants to control.

But it can't, at least not fully. Bringing drugs into Singapore is a capital offense, and any videotape brought into the country, whether homemade or purchased, must be screened by the official censor board. Offensive material is deleted, and the censored tape is returned in a few weeks. But even as foreigners see their home videos confiscated and quake at the thought of accidentally leaving a stray joint in their suitcase, the nightclubs and discos most popular with Singaporean yuppies teem with patrons high on XTC, a synthetic designer drug that attracted a following among kids in the United States and Europe a few years ago and is now the rage in Asia. Police raids frequently shut these nightclubs down, but others spring up to take their place.

The tensions between the state and a youth culture eager to pursue Western-style happiness linger constantly under the surface, and you never know when a skirmish will break out. Rock stars like Jon Bon Jovi, Alanis Morissette and Michael Jackson have been making the rounds in Asia over the past year, yet their concerts have proven to be uncomfortable experiences for many Asian youths. Singaporean youngsters watch their Western counterparts on MTV, and they know the proper behavior of any young fan at a rock concert—a certain rowdy in-your-face attitude, with cigarette lighters flickering in a wave of rebellious rhythm. But at Michael Jackson's concert in Singapore, you actually had to sympathize with the gloved one as he performed to a motionless crowd that could barely muster any applause after each song. The concert was a sit-down affair (no standing allowed, not even on the lawn in front of the stage) and most young concert-goers were accompanied by parents and grandparents who looked on disapprovingly as Jackson grabbed his crotch in front of their innocent children. It was a sweltering Singaporean night, and yet the only ones sweating were Michael and a scattering of American and European fans.

At one point, the group of European and American expatriates I was with jumped up and started dancing to one of Jackson's early hits from the *Off the Wall* album. After a few minutes, some of the Singaporean youths around us broke away from their parents and began dancing too, relieved that someone had finally broken the ice. It didn't take long, however, until a battalion of heavily armed paratroopers, complete with army fatigues and toting the occasional AK-47, descended from all sides and physically returned us to our chairs. "No standing or dancing allowed. If you don't like it, then you're out!" The young Singaporean revelers obeyed, returned quietly to their seats and rejoined the impassive crowd, for now.

GERRY CARDINALE has lived and worked in Asia since 1993.

ON THE HILL

THE GAMES BEGIN

By David Grann and Sarah Pekkanen

Since the 105th Congress began, six Republicans and six Democrats have been coming together weekly in the Capitol for a good cause: to salvage a congressional ethics process shattered by the Newt Gingrich saga. Led by Congressman Bob Livingston, the bipartisan task force is trying to devise ways to dissuade lawmakers from what has become, it increasingly seems, the principal occupation of a perpetually self-bloodying House, the lobbing of ethics charges. In an effort to keep the peace, the do-gooding twelve have imposed what Livingston calls "an ethics disarmament," a moratorium on new complaints—a moratorium that ran out on May 7.

Meanwhile, in another Capitol Hill office a different band of lawmakers, this one entirely Republican, has for weeks been busy with a rather different approach to the ethics truce: preparing for all-out war the moment the ethics ban lifts. Expecting Democrats to renew their attacks on Gingrich and other Republicans, the GOP partisans are plotting to deluge their colleagues across the aisle with ethics charges. "If they're going to open up a whole war," warned Indiana Republican Mark Souder, "they need to understand that both sides have guns."

Right now, the Republicans are aiming primarily at Jim McDermott, the former ranking member on the Ethics Committee, whom the Republicans quite credibly accuse of passing to the press an illegal audio recording of GOP leaders, on December 21, discussing Gingrich's ethics punishment. The tape recording was made by Florida Democratic activists John and Alice Martin, who have said they provided the tape to McDermott. With the advice of former prosecutor Bob Barr of Georgia, Republican House Conference Chairman John Boehner of Ohio is drafting a stack of ethics complaints

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against the Washington state Democrat, contending that he improperly withheld the tape recording from the panel and violated the rules he was supposed to enforce. The Republicans are confident they can nail McDermott on these accusations, and are longing for revenge. "A lot of people," observed Illinois Republican Ray LaHood of McDermott, "would like to get their pound of flesh against him."

Some of the Republicans whose recorded cellular phone conversation wound up on the front page of *The New York Times* are even contemplating suing McDermott, in what would be one of the few civil lawsuits ever filed between lawmakers. The suits, Republicans hope, could dwarf the $300,000 penalty levied against the speaker.

But these prospective salvos represent only a backup plan. The primary line of attack runs through the Justice Department. Since March, Boehner has sent a series of letters pressing Attorney General Janet Reno to prosecute, fine and potentially imprison McDermott for breaking federal anti-wiretapping statutes. In reality, legal experts say, McDermott faces, at worst, a fine and a suspended sentence. Still, some form of criminal action against McDermott is likely. According to one knowledgeable source, a grand jury was recently seated to consider whether to indict the onetime psychiatrist. Asked if he has been called to testify, McDermott, who has been uncharacteristically silent lately, said simply, "No comment." Unfortunately for McDermott, others are talking, specifically the Martins, who on April 23 agreed to plead guilty to violating the Communications Privacy Act and are cooperating with prosecutors.

The House Democrats haven't exactly renounced their sanguinary ways, either. They may refile complaints left over from the last Congress charging Gingrich with siphoning money from GOPAC, Majority Whip Tom DeLay with linking legislation to lobbyists' money, and Transportation Committee Chairman Bud Shuster with, among other things, violating the gift ban. And, if things escalate, some Democrats say they'll push cases against Government Reform and Oversight Committee Chairman Dan Burton of Indiana for allegedly shaking down a lobbyist, and against his deputy, David McIntosh of Indiana, for "selling" legislation to contributors. Democrats figure Gingrich's already sullied reputation puts the GOP at a tactical disadvantage. "If they want it to be open season, they have a high level of exposure," said one Democratic strategist. "We're certainly going to match them."

Things promise to escalate nicely. After rumors spread that Democrats planned to file complaints against every GOP leader who was taped seemingly conspiring with Gingrich—including Boehner, Majority Leader Dick Armey of Texas and Bill Paxon of New York—Republicans unleashed their opposition researchers against every top Democrat. "We'll go after [Richard] Gephardt because he is the head of the party and allowing them to run wild," warned a GOP leadership aide. "He will not escape the collateral damage of filing complaints against top Republicans. We've been digging through the last ten years of activities of Gephardt, [Minority Whip David] Bonior, McDermott and [Caucus Chairman Vic] Fazio. If they're going to play war games, we'll give them equally back."

It is the way of the Hill these days. Neither party even pretends much anymore that the ethics process is about anything other than political warfare, and each battle gives cause for the next. "It's like the old tribal tradition: if one of your guys is killed, then you have to kill another in order to let his soul go to heaven," explained Representative Brian Bilbray, a Republican from California. "It would be more civilized to have the Ethics Committee just issue pistols and have them walk ten paces and turn and fire. God knows it would be a whole lot neater." Faster, too.

One man, more than any other, created this warrior culture: Newt Gingrich. He shattered the old rules of comity by driving Jim Wright from the speaker's seat in 1989. Now it is Gingrich who most fervently wishes for a return to peace. Those close to the speaker say his desire for political redemption outweighs his desire for revenge, but that his lieutenants insist on "Newting" their Democratic foes. Some in the minority even contend that the campaign against McDermott is really a clever bank-shot ploy by House conservatives who have become disgruntled with Gingrich to help push him out of leadership. The somewhat rococo idea is that the effort to "Newt" McDermott is really a bid to "Newt" Newt: the Republican ethics complaints against McDermott will inspire the Democrats to file payback complaints against Gingrich, which, this time, will bring him down. There are plenty of Democrats who would be happy to play along. "If they go after McDermott, it only makes it easier for us to bring up Newt," says one Democratic aide. "On second thought, screw McDermott."

Meanwhile, in their solitude, Livingston and his Democratic cochairman, Benjamin Cardin of Maryland, are working frenetically to stave off at least the most frivolous complaints. But even the bipartisan task force may be faltering under its own partisan divisions. The May 7 date for the moratorium on new complaints was the second deadline. The first, in April, was extended when the committee failed to agree on an overall peace plan. Cardin recently gave the panel only a "60 to 65 percent chance" of successfully depoliticizing the process.

In the end, the only thing that may stop the bloodletting is not forcibly depoliticizing the process, but completely politicizing it. With each party indiscriminately inflating its charges, the cost of an actual clash has risen so high as to give even the purest partisan a moment's pause. "There's a fair chance when people see the pattern of mutual assured destruction, they won't pull the trigger," said Souder. "But that doesn't mean they haven't laid out their battle plans and loaded their guns. And that's how world wars get started."

SARAH PEKKANEN is a reporter for Gannett News Service.

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The verdict on Iran: guilty.

On April 10, defying Iran's repeated threats of reprisal, a German court found that the highest authorities in Tehran had ordered a gangland-style slaying in the middle of Europe. What had been common knowledge for years – that Iran not only supports terrorism throughout the world but orders acts of terror as an instrument of national policy – was proven in a court of law.

On September 17, 1992, the victims were four critics of the Iranian regime, shot in cold blood while having dinner in Berlin's Mykonos Restaurant. But the list of Tehran's terrorist targets is long: political opponents in Iran as well as across Europe, novelist Salman Rushdie and his translators, Egypt's President Mubarak, the Palestinians' Chairman Arafat, Israelis and Jews everywhere, and America and its citizens abroad.

Commendably, the United States has taken a tough stand. But too many other nations, no less aware of the Iranian record, have sought to profit from business as usual with terrorism's sponsors.

Iran's trading partners in Europe and Asia have long claimed they could influence the radical regime in Tehran through "critical dialogue." With the toll of bombings and assassinations mounting, they've been proved wrong.

On the horizon, an even greater danger looms: Iran's quest to acquire nuclear and other non-conventional weapons, along with the means to deliver them.

The Iranian challenge – the Iranian threat to peace and security – can be denied no longer. Until Tehran adheres to the norms of international law, it must be refused the credits, commerce and diplomatic acceptance with which it builds its arsenal and projects its power.

President Clinton is right: We cannot "do business by day with people who kill innocent civilians by night." It's time for the community of civilized nations to stand together against Iranian terror.

The American Jewish Committee

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Why Ralph Reed left the Christian Coalition.

AFTER THE FALL

By Stephen Glass

Every morning after breakfast, Steven Tellis, still wearing his white terrycloth robe, makes his way to an enclosed back porch that he has converted into an office in his Virginia home. He is almost always working at his desk by 8:32 a.m., when the clock radio kicks on—preset to a local Christian station. Over the next eight hours Tellis, an elderly freelance journalist, types *The Tellis Times* on a decade-old Macintosh computer. He works without stopping until 4:30 p.m., when he emails the three-page newsletter to fewer than 800 subscribers.

The *Times* is a chatty newsletter, full of gardening tips and grammatical errors, and it reflects the author's idiosyncrasies. In one week during April, the front-page stories ranged from Tellis's reflections on *Great Expectations* to an "investigation" into Vince Foster's death that was written in rhyming couplets. There is only one constant in *The Tellis Times*: the author's complaints about media bias against Christians.

"The media thinks we're all a bunch of Jesus freaks," Tellis says, sounding a theme that makes frequent appearances in the daily column he writes called "Christ's Defender!!!" "They don't treat minorities that way. But it's okay to say lies about us. Well, I've been put on this earth to stop that." Tellis can find ample evidence to support his view. "Christ's Defender!!!" began after a 1993 *Washington Post* article, which became infamous among Christian conservatives, labeled evangelicals "poor, uneducated and easy to command." The *Post*'s language was particularly offensive, but otherwise an unexceptional example of the mainstream media's coverage of the Christian right's political rank and file.

So Tellis was, to understate the matter, surprised at the way the media covered the recent resignation of the Christian Coalition's executive director, Ralph Reed. "I CAN'T! believe this!!" read the April 25 column under a banner headline. "The media *is* complimenting Reed. They're beginning to recognize how Reed is GOOD and SPEAKS OF TRUTHS."

Tellis's surprise was unsurprising. Like Hatfields eulogizing an unexpectedly deceased McCoy, normally critical columnists lavished praise on Reed's tenure. *New York Times* columnist Frank Rich cooed: "I found near unanimity of opinion. Few believe that the Christian Coalition will find a new front man with the same extraordinary talent...." *The Washington Post*'s E.J. Dionne called Reed's departure "a milestone in American politics." Reliably liberal newspapers like *The Los Angeles Times* praised Reed for being one of the right's most skilled politicians.

But it is Reed's political adroitness that should make the media second-guess his resignation. If Reed has built, as the press says, a mighty political force, why is this consummate politician stalking off on his own? One reason (and one reason why liberal pundits have discovered a sudden love for Reed) might be that the Christian Coalition is quietly crumbling. Internal schisms have left the organization's factions so hostile to each other that they no longer speak. Postal evidence indicates the group has wildly overstated its membership. And recent surveys suggest that its membership is not growing at all. Federal probes threaten to tie up the organization's leadership for years. Worst of all (or maybe best of all, from Frank Rich's point of view), the Christian Coalition under Ralph Reed has so far failed to achieve virtually any of its major policy goals.

"Everyone has basically been down in the dumps for a while," says one prominent Christian Coalition state organizer. "We all know the group is in big, big trouble. He must know as well—who'd blame him for trying to save his own hide?" Adds a senior official in the national office who is also looking to leave: "Think of Reed like he's a really good speculator. Here, he bought low and sold really high. All evidence shows this stock is going to go bearish quick."

"Reed seems to be getting out at just the right time," says Clyde Wilcox, a government professor at Georgetown University who has studied the Christian right since the 1970s. "Their membership has peaked, and they haven't really accomplished much." Wilcox, who has extensively polled the Christian right, says his data indicate that the group has no new pools of members to tap into. His surveys found 40 percent of white evangelicals don't support the group, and that Reed has already signed up or attempted to sign up most of those who might support it. Reed's most ballyhooed recent growth initiative has been to court blacks, in a drive he calls the Samaritan Project. But Wilcox's polls show most black voters are not interested in joining the Christian Coalition.

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Reed's claim to leadership has always rested on his ability to attract recruits. When he joined Pat Robertson's fledgling Christian Coalition eight years ago, there were virtually zero members. Today, Christian Coalition spokesman Larry Cirignano boasts the organization has 1.9 million members. But, as has been widely reported, U.S. Postal Service records from September 1995 indicate the organization only mailed 310,296 copies of its magazine, *Christian American*, which is sent to everyone who contributes $15 annually. At the time, they boasted more than 1.7 million members. And, according to the group's tax returns, contributions fell to $18.7 million in 1995 from $21.2 million the year before. Then there are the group's legal woes. The Senate, the Federal Election Commission and federal prosecutors in Virginia are investigating the Christian Coalition. The FEC's lawsuit seems the most serious. The commission claims in the suit that the Christian Coalition violated campaign finance laws by spending $1.4 million on GOP candidates' campaigns, including that of former President George Bush. Reed has said the group did nothing illegal.

RALPH REED BY VINT LAWRENCE FOR THE NEW REPUBLIC

In June, the Coalition suspended with pay chief financial officer Judy Liebert after she told federal authorities about possible criminal activities by a direct-mail subcontractor. Liebert has also said that Reed told her to hide as "anonymous" a $60,000 donation from a wealthy Ohio businessman who wanted the money to be used to help re-elect Bush. Reed and the Christian Coalition have repeatedly denied the allegation.

Reed's resignation at this impropitious moment comes in the midst of what is becoming an increasingly open battle for control of the organization. Reed's supporters say that, by blending secular issues like tax cuts with traditional religious concerns, he has turned the Christian Coalition into the most powerful force in the Republican Party, while papering over the huge, natural division between the party's Christian social conservatives and its business-rooted money men (the one rails against no-fault divorce; the other sports trophy wives). Reed's opponents say his strategy has abandoned the organization's religious roots, making it indistinguishable from many secular rightist groups.

The Christian Coalition's problem is that dissenters have a point. During the first 100 days of the new Republican Congress in 1995, the Coalition gave moral support to Newt Gingrich and the Contract with America. Even though the group had delivered the GOP crucial votes, it waited until the Contract legislation was completed before pushing its own agenda. Patience, the Christian Coalition assumed, would be rewarded. So, in May 1995, Reed announced his own ten-point Contract with the American Family, a list of socially conservative initiatives that the Coalition asked Congress to pass that year. Two years later, the Contract with the American Family largely languishes. Demands such as eliminating the Department of Education, tightening restrictions on abortion and defunding the National Endowment for the Arts are the fanciful hopes of only the most conservative Republicans. Just two items on the Coalition's Contract have been fully realized, and these were actually proposed first by the House Republican leadership: the establishment of a $500 per child tax credit and restrictions on Internet pornography. "The Republicans got our votes, and they got their contract," says a Christian Coalition state organizer. "Reed promised we'd get something back. You read it and look at the votes, and you'll see we got dirt."

The Christian Coalition's lackluster legislative record has given rival organizations with like constituencies but a more aggressively moralist thrust—organizations like the Washington-based Family Research Council—an opportunity to lure away disaffected Coalitioners. And, over the past two years, the more moralist factions of the Christian Coalition have started talking with increased seriousness of defecting. This March, the heads of several large California chapters met to discuss seceding from the national leadership. Ultimately, the

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splinter group voted to stay with Reed, but they warned that they wanted to see more action on the social front.

Less formally, dozens of members in the past year have quit the Coalition to build local moralist groups. Consider Rachel Hamford, a San Diego housewife who set up an online community for Coalition members who believe Reed has gone astray. "I agree with the secular goals also," she says. "But the Ten Commandments have to come first. At times it seems Ralph Reed has forgotten his Bible." On the Monday after Reed's resignation, more than fifty people filled three of Hamford's "Click for Christ" chat rooms, ranting:

"We're done with Reed so we can get back to doing God's good deed."

"Reed was an impostor."

"If God = :-) then Ralph Reed = :-(" (internet novices: tilt your head to the left and :-) becomes a smiley-face).

"In three years, it's never been this much," says Hamford. "It's usually very lonely; once in a while it's just me and my husband."

The most serious defection came last September, when the Christian Coalition's Catholic wing, the Catholic Alliance, quit to form an autonomous group. Reed started the alliance in 1995, hoping the Vatican's stance on abortion and gay rights would bring new members to what was (and remains) a mainly evangelical Protestant organization. The Christian Coalition claims to have brought in 30,000 Catholics in the alliance's first year, but pollsters say the real figure is somewhere around 10,000. Either way, it was far less than Reed hoped. Several studies indicated that the principal reason for the poor results was that Catholics, particularly religious Catholics, do not identify themselves as Republicans. One study by Notre Dame Professor David Leege found that half of weekly Mass attendees are Democrats. The Christian Coalition's close ties to the GOP may have turned off Catholics.

In this schismatic context, Reed's departure is seen by all sides as an opportunity to redefine the Christian Coalition. Six staffers for prominent religious-right congressmen are working to persuade Pat Robertson to replace Reed with someone more socially conservative. The staffers, including one from Majority Whip Tom DeLay's office, met for almost an hour in the Longworth House Office Building the day after Reed resigned. "What we all could agree on was that we were going to push Christian legislation fast and furious in the next few months," one of the staffers explained. "We want it to look like it's coming from everywhere." One languishing measure identified for a big push is Oklahoma Representative Ernest Istook's constitutional amendment to allow religious symbols in schools. Other bills targeted by the moralist staffers require restrictions on abortion, the legalization of school prayer and equal time for the teaching of creationism.

"It's not important if it's duplicate legislation or even if it could ever really pass," said a senior House Education and Workforce Committee staffer. "Our goal is just to get the drumbeat going, to rally up some of the Christians who are sleeping between elections. If they get excited, Robertson will listen to them and maybe respond." The response the staffers have in mind is the appointment of a staunch moralist to succeed Reed, a non-Reedian leader who would force the GOP Congress to take on social issues.

Arrayed in opposition are Coalition pragmatists, who, recognizing the depth of the division between the moralist wing of the Republican Party and the party's money wing, hope Robertson will choose the virtually unknown Charles Cunningham to succeed Reed. Cunningham currently directs the Christian Coalition's highly successful voter education program, which in the past election year distributed 45 million "voter guides" to over 100,000 churches nationwide. Cunningham is considered a Reed-style pragmatist, with ties and interests beyond the world of the religious right. Before coming to the Christian Coalition, he served as a lobbyist on Capitol Hill for the National Rifle Association. But most pragmatists believe that Robertson is searching for a higher-profile replacement.

The moralists would prefer someone from outside the Coalition, someone with a stronger religious background, someone who isn't under "Ralph Reed's spell," as one Colorado Christian Coalition activist puts it. Among the names floated have been those of Oklahoma Congressman J.C. Watts, former U.S. Secretary of Education William Bennett, Indiana Senator Dan Coates and former Virginia Secretary of Health and Human Services Kay Coles James, a teacher at Robertson's Regent University.

Whoever gets the job will inherit what Reed walked away from—a stagnant membership, legal and financial difficulties and, above all, the unresolved tension between the passionate moralists and the moneyed pragmatists. Cirignano, the Christian Coalition's spokesman, says no one should expect the organization to change dramatically when Robertson picks Reed's replacement. "When a church loses its pastor, it gets another one, but the church continues," he says. "Ralph Reed is stepping over, not out—he'll remain on the board."

And, for now, the Christian Coalition is still treating the GOP's economic agenda as equally important to its social one. When I first left a message for the Christian Coalition's press office it was accidentally logged as if I had made a donation to the group. A few hours later, Earlene, a volunteer, called me. After I declined her invitation to pray for me, she asked me to pray instead. "Could you pray for legislation to end partial-birth abortion and a balanced budget agreement?" she asked.

A balanced budget? You pray for that?

"Every day when I wake up and when I go to sleep."

Do you pray for higher taxes or less government spending? Or for other causes, like repealing gun control laws?

"Oh, sure we do," said Earlene, "but these are the two I'm supposed to tell you about." •

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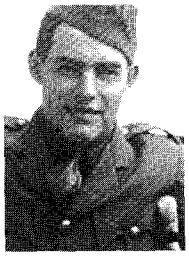
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Jeffrey MacDonald's case against the FBI.

FATAL REVISION

By Ruth Shalit

On April 16, *The Wall Street Journal* published the results of an investigation into the practices of the increasingly beleaguered FBI crime laboratory. The article, written by reporter Laurie P. Cohen, uncovered two apparently fraudulent affidavits submitted by FBI hair-and-fibers examiner Michael P. Malone. An examination of Malone's actions, wrote Cohen, "raises serious concerns about the FBI crime lab, which is already under scrutiny for allegedly biasing its findings to favor prosecutors over criminal defendants."

One victim of this practice, wrote Cohen, may have been Dr. Jeffrey R. MacDonald, the Princeton-educated Army surgeon whose sensational 1979 murder conviction was the basis for Joe McGinniss's best-selling book *Fatal Vision*, and whose lawyers have been complaining for years that the FBI manipulated forensic evidence to make their client look guilty. As Cohen reported, a strand of synthetic blond fiber—now revealed, in contradiction to Malone's sworn testimony, to be composed of the type of fiber used to make human wigs—has become the basis of a habeas petition to gain a new trial for MacDonald, who is currently in jail for the murder of his wife and their two small children, a crime he has maintained for twenty-seven years he did not commit.

But MacDonald's lawyers go further. They say that prosecutorial bias, far from being confined to a single rogue agent, permeated the entire investigation. "We've known for a long time that the forensic testimony in this case was utter nonsense," says Harvey Silverglate, the Boston criminal defense lawyer who has been handling MacDonald's appeal, pro bono, since 1989. "For years, people have been telling us, 'You don't accuse the FBI lab of perjury. This is the foremost forensic lab in the world!' " When Silverglate and his associates read in the paper that the FBI lab was under fire for falsifying evidence, "we were electrified," he says. "What this case has always needed is a scandal swirling around the FBI lab. Maybe now someone will believe us." Malone declined to comment.

The facts of the MacDonald case are as well-known as they are lurid. In the early morning hours of February 17, 1970, the military police at Fort Bragg, North Carolina, logged a phone call from MacDonald, a Green Beret captain and an Army group surgeon who lived with his family on the Fayetteville base. "We've been stabbed," gasped MacDonald. "People are dying.... I may be dying." When military police arrived at the scene, they found MacDonald's pregnant wife, Colette, lying on the floor of the master bedroom in a pool of her own blood. The couple's young daughters, Kimberly and Kristen, had been hacked to death in their beds. All three bore the marks of multiple weapons: an ice pick, a Geneva Forge knife and a wooden club later found in the backyard. MacDonald was found alive but unconscious. He was revived by medics, given mouth-to-mouth resuscitation and taken to a nearby hospital. When he regained consciousness, he told a bizarre tale. His family, he said, had been butchered by a pack of drug-crazed hippies. MacDonald remembered a black man in an Army field jacket with sergeant's stripes, two white men and a woman in a blond wig and floppy hat. According to MacDonald, the group had cut a macabre swath through the small apartment, carrying a candle and chanting "acid is groovy" as they stabbed and clubbed and slashed his wife and daughters.

MacDonald's account of the hours leading up to the murders are as follows: after sharing an orange liqueur, he and Colette got into bed and watched Johnny Carson. But soon 2-year-old Kristen, who couldn't sleep, crawled into their bed. Unfortunately, Kristen wet MacDonald's side of the bed. MacDonald cleaned her up, tucked her in and crashed on the living-room sofa—only to awaken hours later to the frantic screams of his dying family. Struggling to his feet, he was set upon by three men, who beat and slashed him until he passed out. When he opened his eyes, the intruders were gone and the apartment was silent. He staggered to the rooms of his wife and children, only to find them broken and bleeding. After pulling a knife out of his wife's chest, he attempted mouth-to-mouth resuscitation. He also attempted to revive his daughters. When this failed, he managed to pick up a phone and summon the Army medics. At that point, MacDonald—who, hours later, would receive treatment for multiple head contusions, a collapsed lung, as many as seventeen ice-pick wounds and at least four knife wounds, including one so deep it exposed his stomach muscle—lost consciousness again. When Army medics arrived at the scene, they found him slumped over his dead wife.

William Ivory, the 26-year-old lead Army investigator, did not believe MacDonald's story. For one thing, the crime scene looked suspiciously tidy. If the MacDonald

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living room had indeed been the site of a bloody struggle with marauding intruders, as MacDonald claimed, why was a flowerpot standing upright? Even more graphically damning, it seemed, was the forensic evidence—gathered at the crime scene by the Army's Criminal Investigation Division and turned over to the FBI when, nine years after the murder, the agency decided to conduct its own probe. As Justice Department prosecutors would argue at trial, this circumstantial evidence overwhelmingly fingered MacDonald. On the bedspread, investigators found a bloody strand of Colette's head hair entwined with one of MacDonald's pajama fibers, evidence that a battle had taken place between MacDonald and his wife. The imprint of MacDonald's bare, bloody feet was found in Kimberly's doorway—proof, according to the prosecutor's scenario, that MacDonald had paused in his daughter's room while carrying Colette's lifeless body into the master bedroom. Most damningly, investigators claimed, two of MacDonald's pajama fibers were found on the murder club. Lead prosecutor James Blackburn called this ominous discovery the "most important" evidence in the case.

Also problematic for MacDonald was what was *not* found in the apartment. MacDonald said he'd struggled with the intruders in the west entrance to the hallway before falling to the ground, wounded and unconscious. But investigators claimed to have found none of MacDonald's pajama fibers or blood in that area. And there was a bigger problem. According to investigators, there was not a shred of evidence to support MacDonald's farfetched tale of chanting, candle-bearing crazies. "It doesn't make any difference if there were 5,000 hippies outside Castle Drive at four o'clock in the morning screaming 'Acid is groovy; kill the pigs,'" explained Blackburn in his summation. "Because they have not shown that hippies were inside the house."

In interviews after the verdict, several jurors revealed their discomfort with the government's case. The prosecution, they told reporters, could offer no explanation for how MacDonald, a doting father who had just delighted his family with surprise gifts of a bunny rabbit and a Shetland pony, could experience such a profound psychotic snap. In the end, they said, it was the lack of evidence of intruders—together with the lack of blood on the floor where MacDonald said he'd bled—that led them to accept the prosecution's claim that MacDonald was lying. Try as they might, MacDonald's lawyers proved unable to explain the discrepancies between their client's story and the forensic evidence. After a mere six hours of deliberation, the jury convicted MacDonald of triple murder. A judge sentenced him to three consecutive life terms at the Sheridan Federal Correctional Institution, in western Oregon, where he remains to this day.

But there is a strong argument to be made that the government's case against MacDonald was, at least to some degree, rigged, an argument that indeed has been made by investigative journalists Jerry Allen Potter and Fred Bost in their book *Fatal Justice*, just out in paperback, which presents an exhaustive argument for MacDonald's innocence. As Potter and Bost note, during the four years leading up to the trial, MacDonald's lawyers repeatedly asked the prosecution for a look at the original source documents—investigative reports, witness statements, handwritten lab notes and other unfiltered primary material—that would substantiate the government's damning interpretation of the evidence collected at the crime scene. Brian Murtagh, the Justice Department attorney in charge of the case, refused to turn anything over; and Judge Franklin T. Dupree refused to compel him to do so. Dupree soothed the apoplectic lawyers with a promise that, if the sought-after lab notes were later discovered to contain exculpatory information, the prosecution's case would "get reversal."

The government documents weren't released until thirteen years after the murder, when MacDonald's attorneys lobbied senators and congressmen to compel disclosure under the Freedom of Information Act (FOIA). MacDonald's lawyers say this belated disclosure, which began in 1983 and continues even today, confirmed their suspicions. The handwritten notes, tens of thousands of pages of them, *did* contain information that was kept off the FBI's typed summations, information that contradicted the prosecution's central claims at trial. We now know from the notes that, when the government claimed that MacDonald's footprints in Kimberly's doorway inculpated him in the murders, it ignored eyewitness accounts that MacDonald, as he was being carried out of the apartment on a gurney, stumbled off the gurney with bare, bloody feet at precisely the point where the footprints were found. We also know that, when the jurors were told of a pajama fiber entwined with a hair, they never learned the truth—that Army investigators had examined debris from the bedspread three times in 1970 and found none of Colette's bloodstained hair; nothing entwined. The notes reveal no explanation for such a dramatic change in forensic evidence—evidence that was hand-carried from the Army's evidence depository to the FBI lab by the lead Justice Department prosecutor himself.

What about the troubling absence of blood and pajama fibers on the hallway floor, where MacDonald insisted he'd battled multiple intruders? This claim, too, is countermanded by source documents that the government refused to allow the jurors to see. The notes reveal that, when Robert Shaw of the Army's Criminal Investigation Division first got to the apartment, he reported a "pile" of blue fibers and a spot of blood (diagnosed as probably type B, MacDonald's type) at precisely the spot in question. This evidence, too, was kept from MacDonald's lawyers and from a jury who cited its absence as their main reason for doubting MacDonald's account.

As for the fibers on the murder club—the "most important" evidence—the original, handwritten lab notes reveal that, when lab technicians examined the club debris, they found not pajama fibers but two strands of black wool, wool that didn't match any clothing in the

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apartment. Somehow, these foreign "wool fibers" became "pajama fibers" in the government's final report.

During their decade in the MacDonald FOIA archives, Potter and Bost found evidence to dispute every major claim by the government of circumstantial evidence against MacDonald. As they write: "We found each one grossly short of proof, and many of them intentionally distorted. We would be hard-pressed to mention a single important item that had not been somehow manipulated to throw suspicion away from intruders who left substantial evidence in the home, in the victims' hands, and on and around the bodies."

One piece of evidence kept out of MacDonald's trial that showed up in the FOIA documents was a confession of murder—actually multiple, polygraph-verified confessions—by Helena Stoeckley, a Fayetteville hippie, drug addict and self-styled "witch" who admitted to owning a blond wig, floppy hat and ice pick; who was spotted by five eyewitnesses in the vicinity of the MacDonald home, in several instances in the company of two white males and a black male in an Army field jacket, on the night the murders occurred; and who never came up with an alibi for where she was during the early morning hours of February 17, 1970. In her confessions, Stoeckley explained that "MacDonald was just one of several people giving the drug users a hard time. And I don't know really who started the idea." Stoeckley explained that the group, "peaking out on mescaline," allowed matters to get out of hand. "From what I understood, there was simply going to be a little pushing around, you know, and trying to get a point across, and that was it." Before she knew it, "there was blood and I realized that things were out of control." Despite his earlier promise to reverse MacDonald's conviction in the event of documented prosecutorial suppression, Judge Dupree ruled the confessions irrelevant, due to a lack of forensic evidence tying Stoeckley to the crime scene. Such evidence later surfaced, in the form of blond wig hairs suppressed by the FBI and finally disclosed through FOIA in 1990. But this, too, was deemed insignificant. FBI expert Malone swore that the synthetic fibers had to be doll hair. "Unless the defendant wants to maintain that Ken and Barbie did it," said government prosecutor John F. DuPue in 1992, "I don't see how this hair helps them very much today." A three-judge panel agreed with DuPue: "Without any evidence that saran is used in the production of human wig hair the presence of blond saran fibers in the MacDonald home would have done little to corroborate MacDonald's account of an intruder with a blond wig."

The April 16 *Journal* story, which established that saran fiber was indeed used to make wigs—and that FBI hair expert Michael P. Malone knew this at the time he testified to the contrary—has vaulted the MacDonald case back into the media spotlight. From his makeshift studio at the Sheridan Federal Correctional Institution, a haggard-looking MacDonald has been storming the talk-show circuit, appearing on "Larry King Live," the "Today" show and ABC's "This Week" to proclaim his innocence, and to declare himself the victim of a malicious government prosecution. The recent avalanche of criticism of the FBI reflects "precisely what I have been saying for years," a tearful MacDonald told Larry King. "I didn't murder my wife or children. I never harmed any of them...."

To those of us weaned on *Fatal Vision*, Joe McGinniss's slickly tendentious account of an Ivy League golden boy's descent into psychopathy, MacDonald's telegenic persuasiveness comes as a queasy surprise. For, even more than the jury's stinging verdict, this true-crime page-turner has come to define Jeffrey MacDonald in the public eye, turning a loving father and dedicated physician into a soulless monster of depravity. Not only did the McGinniss book smoothly lay out the government's case—papering over discrepancies and eliding crucial contradictions, until an iffy circumstantial case began to seem an airtight web of verification—it also gave the prosecution's argument a psychological superstructure. For McGinniss's literary narrative provided something the government's legal narrative did not—a plausible motive for why MacDonald would kill his wife and children. In turning MacDonald into his Raskolnikov, however, McGinniss faced a crucial stumbling block. The blandly middle-class Army doctor refused to display any of the traits associated with people who kill: prior to trial, five psychiatrists—including three hired by the government—had found MacDonald sane and unlikely to have committed the crimes. In trying to imbue his protagonist with the requisite horribleness, McGinniss fell back on Hervey Cleckley's *The Mask of Sanity*, which held that, for victims of a particular "grave psychiatric disorder," outer normalcy was proof of inner psychopathy. According to McGinniss's surmise, MacDonald had murdered his family in a fit of "boundless rage" against the female sex, suppressed since childhood but lethally detonated after Colette voiced threatening "new insights into personality structure and behavioral patterns," gleaned from a psychology course in which she had recently enrolled.

Fatal Vision became a national best-seller and the inspiration for a top-rated television movie of the same name. And McGinniss's book became doubly famous as the object lesson at the center of *The Journalist and the Murderer*, Janet Malcolm's exploration of the morally perilous relationship between writer and subject. During the years in which McGinniss was preparing his portrait of MacDonald as a psychopathic killer, he had, Malcolm reported, posed as his devoted fan and supporter: commiserating with MacDonald about his "nightmare"; offering him legal advice; lulling him with forty friendly letters. In truth, though, by the time the conviction was announced, McGinniss had already decided MacDonald was a cold-blooded murderer. As McGinniss later told a radio host, "[M]y mind was made up the same day the jury's mind was made up." After the verdict, MacDonald sued McGinniss, alleging breach of contract; the case was settled for $325,000.

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Malcolm was scrupulously agnostic on the question of whether MacDonald committed the crime. As MacDonald's lawyers sent her ream after ream of what they claimed was newly discovered exculpatory evidence, Malcolm found herself "oppressed by the mountain of documents that formed in my office," she wrote. "I know I cannot learn anything about MacDonald's guilt or innocence from this material." When Malcolm was finishing up her book, a pleading letter from MacDonald arrived. She wrote: "It tells about developments in his criminal case—'extraordinarily powerful new evidence,' which he is 'not yet free to make public,' but which he will send me if I want it. I do not want it."

Neither, it seemed, did anyone else. Over the years, the journalistic industry that has grown up around the Jeffrey MacDonald case has received far more attention than the case itself. MacDonald and his tedious protestations of innocence have become almost incidental to the affair's ancillary titillations: Did McGinniss betray MacDonald? Did Malcolm betray McGinniss?

But now something new is happening. Journalists, armed with the mountain of FOIA documents Malcolm found so understandably oppressive, are asking the unsettling question: What if MacDonald is innocent, after all? Errol Morris, who exposed a famous miscarriage of justice in his award-winning documentary, *The Thin Blue Line*, says he is now trying to get money to make a movie about the MacDonald murders. "One gets the impression reading *Fatal Vision* that there was an overwhelming case against Jeffrey MacDonald. In fact, that is just not true," Morris told me. "It's the quintessential postmodern nightmare—a man who is in jail because everyone thinks they know the story, when the story, for the most part, has been framed by a book and a television movie, rather than a careful examination of the underlying evidence." Janet Malcolm has now brought herself to look at the FOIA documents as well. "The more I read about the case," she told me, "the more I move toward the view that he could very well be innocent."

As evidence mounts that MacDonald did not commit the crime, his attorneys have been grinding their teeth in frustration, realizing that exculpatory evidence is no longer sufficient to reopen a habeas petition. Thanks to reforms to the writ of habeas corpus passed in the wake of the Oklahoma City bombing, it is no longer enough for the defense to show that crucial evidence was suppressed by the government; the burden is on the defense to show that government agents did so *deliberately*. But now that Michael Malone's testimony has been forcefully rebuked (Malone swore under oath that the FBI's textbooks said that saran could *not* be used in wigs; at least one textbook, in fact, says the exact opposite), MacDonald's lawyers say they finally have the hook they need to drag into the public record a wealth of explosive exculpatory evidence the jury never saw.

FOIA documents, some of which were released after the publication of *Fatal Justice*, reveal that evidence of intruders never entered the official, typewritten case record. We now know that, on the very day of the murders, Army investigators discovered five bloodstained gloves in the kitchen, a bloody syringe in a closet and an unidentified bloody palm print on the footboard of the bed in the master bedroom. Wax drippings were found at three critical locations in the apartment, including Kimberly's bedding, and the color of the wax did not match candles found in the MacDonald apartment. A burnt match was found at the foot of baby Kristen's bed—even though no one in the family smoked, and there was nothing in the room requiring the use of a flame.

FOIA documents also reveal that hair and fiber evidence—unmatched to MacDonald, or to any other known sources in the home—was found in every location in the apartment where, according to MacDonald's account, a struggle occurred. In addition to the intriguing blond wig hair, plucked from Colette MacDonald's hairbrush, two unidentified "pubic or body hairs" were found next to the bodies of Kristen and Kimberly. An unidentified "short brown hair" was found clutched in Colette MacDonald's left fist. And an Army investigator, examining scrapings from the dead children's bloody fingernails, found brown hairs under the nails of both Kristen and Kimberly. According to the authors of *Fatal Justice*, the hairs exhibited "dissimilar characteristics," meaning that they may have come from two different attackers. Chillingly, their roots were intact, suggesting that the struggling girls had actually gouged hairs out of their killers' bodies. When the lab technician found that the hairs couldn't be linked to MacDonald, it seems he decided to keep them a secret. A handwritten note reads: "They are not going to be reported by me."

Evidence of foreign fibers was also omitted from the prosecution's typewritten report. Two blue acrylic fibers—one found clutched in Colette's hand, the other in the hallway where MacDonald claimed he lay unconscious—were catalogued and tested by the FBI, but were ultimately unmatched to anything in the apartment. Meanwhile, several crucial fibers catalogued as MacDonald's turned out not to be his after all.

Oh, and remember the telltale flowerpot? The one that supposedly proved that MacDonald murdered his family, then staged a bogus crime scene to cover his own tracks? It turns out that, moments after MacDonald was wheeled out on a gurney, a man at the scene "picked up the overturned flowerpot and set it upright on its base."

"Things do not lie," prosecutor Blackburn told the North Carolina jury in 1979. "But people can and do." Given the voluminous and persuasive evidence pointing to MacDonald's innocence that has come to light since his trial, the prosecutor's words ring uncomfortably true. Should Judge James C. Fox grant a new trial to a defendant already convicted in the public consciousness, the *Fatal Vision* murderer may indeed walk out of prison a vindicated man. •

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How Jack Kevorkian became a national hero.

THE SELLING OF DOCTOR DEATH

By Michael Betzold

Jack Kevorkian doesn't equivocate about his mission in life. It is to pioneer radical change in the way human beings die. In his writings and statements, Kevorkian advocates a society that allows euthanasia for the dying, the disabled, the mentally ill, infants with birth defects and comatose adults; and he sanctions experiments prior to their death and organ harvesting. He envisions a global system of death on demand run by doctors who operate without oversight from government or ethicists. His "potential candidates for the humane killing known as euthanasia" are many. As Kevorkian describes in his book *Prescription: Medicide: The Goodness of Planned Death*, they include those afflicted by "the end stage of incurable disease, crippling deformity, or severe trauma," people with "intense anxiety or psychic torture inflicted by self or others," and those "who decide that they must die because of" their "religious or philosophical tenets or inflexible personal convictions," as well as "fetuses, infants, minor children, and every human being incapable of giving direct or informed consent."

In 1993, a *Time* interviewer asked Kevorkian: "How do you decide whom to help? Does the patient have to suffer from a life-threatening illness?"

"No, of course not," replied Kevorkian. "And it doesn't have to be painful, as with quadriplegia. But your life quality has to be nil."

"And who decides that?"

"That's up to physicians, and nobody can gainsay what doctors say."

And Kevorkian wants doctors to manipulate deaths for scientific gain. "It would be a unique privilege in the most emphatic sense to be able to experiment on a doomed human being," Kevorkian has written. "Help[ing] suffering or doomed patients kill themselves," he says, is "merely the first step ... what I find most satisfying is the prospect of making possible the performance of invaluable experiments." What sort of experiments would Kevorkian like to perform? "No aim could be too remote, too silly, too simple, too absurd; and no experiment too outlandish."

MICHAEL BETZOLD has written about Jack Kevorkian for six years and is the author of *Appointment with Doctor Death* (Momentum Books Ltd.).

Kevorkian asks his clients, before they die, whether they would like to donate their organs or be subject to experiments—just research questions, he assures them. Maybe. But there's this: recently, a teenage girl in a Michigan hospital needed a liver transplant to survive. Janet Good, Kevorkian's Web-surfing gatekeeper, found a Chicago man with emphysema who, Good said, was dying to be the donor. The plan: a parking lot suicide and a dramatic entrance for the cameras with a corpse and a liver for harvest. "We were still considering whether and how to do this when they found another liver," Good told a reporter.

Kevorkian has never renounced his vision. Yet the public portrayal of Kevorkian does not do justice to the alarming scope of his aims. The media, who have given Kevorkian much attention since he attended his first death in June 1990, usually depict him in euphemistic and flattering terms, as a freedom fighter, a pioneer of the "right to die."

"Polls show a majority of Americans support Kevorkian's efforts to help the terminally ill end lives of suffering," intoned Stone Phillips on "Dateline NBC" last year. It was the kind of misleading statement typical in coverage of Kevorkian. In fact, many of Kevorkian's customers have not been terminally ill. A few have been depressed. Autopsies have shown a few clients had no detectable physical ailments. Kevorkian's practice has been amateurish, his safeguards shoddy. But facts about his clients and his methods are consistently sanitized for public consumption.

Over the past seven years, the Kevorkian cure has dispatched at least forty-five customers (the count is hard to figure, since Kevorkian does not acknowledge all the deaths in which he participates). The idea that, in his work, Kevorkian is fighting for our "right not to suffer" and our freedom to die is generally unchallenged. Rarely is it pointed out that Americans already enjoy a "right not to suffer" (one can refuse medical treatment) and a right to die (one can commit suicide). And even more rarely do reporters examine Kevorkian's cases to determine who controls these experiments in death—the doomed human being or the experimenter.

Journalists legitimize Kevorkian's activities as medical practice by calling him a doctor, without mentioning that his Michigan medical license was revoked in 1991

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and that the only remedies he "prescribes" are poisons. They call his customers "patients," though people come to him to be put away, not cured. They call the deaths he engineers "assisted suicides," though no one really knows how his customers die.

The selling of Kevorkian and the distortion of his program constitute not simply a failure of a lazy, sloppy and biased press, but also a public relations triumph for a man who has spent the past seven years as Kevorkian's attorney, image consultant, press secretary and all-around handler, Geoffrey Fieger. In that time, Fieger has transformed his client from media devil to media darling. In this, his biggest asset has been *The New York Times*, which has set a favorable tone for international coverage by using a cheerleader for Fieger and Kevorkian as its lead reporter on the story.

In Kevorkian's ideal world, doctors would decide when your life is no longer worth living. As the baby-boomer population enters its declining years, and as pressures to ration health-care services increase, such a prospect might seem frightening. But most Americans don't see Kevorkian's work in those terms, because they see what Fieger and the media have told them to see.

Dr. Howard Brody, a medical ethicist at Michigan State University, wonders about this. "If Dr. Kevorkian went on TV and said: My mission, my crusade is 'All power to the doctors,' I don't think he'd get the time of day from anybody," Brody told me. "And yet when he says, 'I'm Doctor Death,' everybody says: Great, this guy's a savior."

In 1993, I wrote a book, *Appointment with Doctor Death*, about Kevorkian. The book, reviewers said, was an evenhanded account. It was based on my work as a reporter for *The Detroit Free Press*. As I was starting the book, my cousin, Martha Ruwart, arranged to die with Kevorkian's help rather than battle cancer to the end. I learned about this after she died. Her death deepened my understanding of the issues behind the headlines and bolstered my determination to be fair and thorough in my reporting; I have great sympathy for Kevorkian's clients and their loved ones. After the book was published, interviewers would sometimes ask me if Kevorkian was crazy. I would say he was a zealot, not nuts. Then, as Kevorkian stood trial for the 1993 death of Thomas Hyde, I wrote an article about Hyde's criminal past. During a court recess, Kevorkian screamed at me: "You are Satan! You are evil incarnate!" I no longer defend Kevorkian's sanity.

But I do believe that those who question Kevorkian's sanity still misunderstand what he's all about. What has passed for critical analysis of Kevorkian is the pop-psychology diagnosis that he's a vampire, a ghoul, a man in love with death. Often cited as evidence are his paintings, which feature gory renditions of dismembered body parts and cannibalism. The works certainly are macabre, but I am struck more by their utilitarianism. Kevorkian clumsily uses severed heads and detached organs in service of satire, in much the same way he sees his customers' deaths as parts of a grander scheme.

Kevorkian is at war with death. He believes science should triumph over death, not compromise with it. He scorns both traditional religions and New Age spiritualism for seeing anything of value in death. He sees nothing in death but defeat. When I asked him what he believes happens after a person dies, he replied: "You rot." The rotting frustrates him. He's always sought ways to extract medical benefits for humanity out of what he sees as useless individual deaths. It is this impulse, rather than simply the desire to help people die, that motivates Kevorkian; in caricature, he would be, I think, more properly seen as a mad scientist than a ghoul.

Kevorkian began experimenting in the utilization of death early in his career. Working at several Michigan hospitals, he earned the nickname "Doctor Death" for his practice of photographing the eyes of dying patients, which he said he did because it was "interesting," and because he thought he could thus pinpoint the moment of death. In his first post-residency job as a pathologist at a Pontiac, Michigan, hospital, Kevorkian transfused blood from corpses into live volunteers. Once, when he couldn't locate a dead girl's jugular, he plunged a syringe into her heart. Kevorkian pitched his schemes as useful research, but no one funded them. His colleagues' rejection of his methods embittered him; eventually he became unemployable because his résumé, he said, "scared the hell out of people."

While still a medical resident, Kevorkian began a campaign to legalize medical experiments as part of criminal executions. Even when this crusade forced him to resign his residency in 1958, he never abandoned it. On the work of Nazi concentration-camp experimenters, he has written: "a few of the medical criminals did the right thing (extraction of positive gain from inevitably total loss otherwise beyond their influence) but in the wrong way (without concern over consent or anesthesia)." In the 1970s, Kevorkian added organ harvesting to his grand plan; enthused about how a single healthy convict might save ten lives, he pitched his plan in letters to inmates and authorities, to no avail. In the 1980s, after reading about Dutch doctors who aided suicides, he expanded his vision beyond death row to the suicidal. Using $30 worth of spare parts and junk, Kevorkian constructed his first suicide machine in the summer of 1989.

Kevorkian sees no ethical distinction between euthanasia and assisted suicide. It was solely to make his practice more acceptable to law and public opinion that he made his machine so that it could be activated by the customer. "It's execution by lethal injection, except you do it yourself," Kevorkian explained. He placed newspaper ads: "Oppressed by a fatal disease, a severe handicap, a crippling deformity?... Show him proper compelling medical evidence that you should die, and Dr. Jack Kevorkian will help you kill yourself, free of charge."

Janet Adkins of Portland, Oregon, who had early stage Alzheimer's disease, read about Kevorkian in *Newsweek*. She and her husband, Ron, longtime Hemlock Society members, made an appointment for Janet to die. In a pre-death "consultation," Kevorkian asked questions from behind a video camera, while

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Janet frequently turned to Ron for help with answers.

"What are you asking for?" Kevorkian demanded. "Can you put it in plain words?"

"I don't know," Janet Adkins replied.

"Do you want to go on?"

"No, I don't want to go on."

"You don't want to go on living?"

"I don't."...

"What's the word for that?"

"Euthanasia?"

"No. What is the word for the end of life? What happens when you stop living?"

"You're dead."

"Is that what you wish?"

"Yes."

By such clumsy methods Kevorkian believed he had established informed consent. His lack of psychological training was immaterial, he later testified: "I don't rely on mental problems. I rely on their physical disease, which then affects the mind. Anybody who's got a terrible crippling disease and is not depressed is abnormal."

Adkins died in June 1990, Kevorkian's first customer. Hauled into court after Adkins's death on a request for a restraining order, Kevorkian testified that his goal was to implement "a rational policy of planned death for the entire civilized world" that included experiments on the dying. He said he'd refused requests from physically healthy people because "I only can work with physical disease at this stage. The rest of it comes when society matures a bit." He asked the judge to let him continue, pleading: "It's a little experiment.... Try it. If it doesn't work, we quit. Where's the damage?"

Kevorkian's first court appearances were not a public relations success. Representing himself, Kevorkian tried to submit a twenty-page statement of "testimony" from Aristotle, Pliny the Elder, Thomas Jefferson and Albert Einstein. The judge didn't allow it. Obviously, Kevorkian needed not only a lawyer, but a packager, a manager. But who could package and manage a megalomaniac?

Geoffrey Fieger once bragged to me that he was "the Ty Cobb" of attorneys. Like the legendary baseball bully, Fieger believes in winning by any means necessary. He is a lawyer of the showman school—he majored in drama in college before becoming a medical malpractice attorney—and he is relentless in court. He has won huge awards by portraying clients as victims of doctors.

Kevorkian hired Fieger in August 1990. Since then, Fieger has helped Kevorkian win three acquittals. He's also shaped the public Kevorkian into a heroic figure. Fieger has made the Kevorkian story irresistible to reporters, a circus in constant flux, with himself as the ringmaster. He knows what the media want: the crude, the sensational, the outrageous. Once, Fieger pinned a clown nose on the prosecutor's photo. He has called state appeals judges "squirrels and rats and lizards and mollusks." Of prosecutor Raymond Voet, who is taking on Kevorkian in a trial this summer, Fieger says: "He's a fool, he's an asshole, and he's as stupid as the day is long." Fieger knows how to frame a soundbite argument. "If it's all right for our cats and dogs when they're suffering, why can't human beings get the same beneficence?" he says of assisted suicide. For a *Playboy* interview, he compared dying to orgasm. Late in 1993, Fieger helped Kevorkian stage a jailhouse juice-and-vitamins "hunger strike." On day two, Fieger said his client's skin had turned yellow and he was dying. He was not, of course.

Fieger has staged Kevorkian's deaths as psychodramas that play on popular fears of disease and dying. In Fieger's depiction, Kevorkian's clients are always in excruciating and unceasing pain, their lives are always undignified, their prospects are always gruesome. Television news viewers and newspaper readers see in Fieger's depiction of "the suffering patient" their parents, their spouses, themselves. How could anyone object to putting these poor people out of their misery?

And Fieger can put the issue of assisted suicide in ideological terms that most journalists respond to with reflexive favor. The issue, Fieger insists, is not about doctors gaining more power to decide who can die, it is about *civil rights*. Fieger screams that authorities are intruding into our sick beds, making criminals of dying people. The government and the religious right, he contends, are usurping a fundamental freedom, the "right not to suffer." He once admitted to me that the "right not to suffer" would be a legal artifice and that "there's nothing constitutionally defective about a law outlawing assisted suicide ... but certain things must be protected against lunatics."

"Lunatics" are behind any criticism of Kevorkian's work, Fieger asserts. Although in fact it is proponents of assisted suicide who are proposing radical change, Fieger argues that his opponents are the extremists, attempting "to impose a theocracy on the United States," as Fieger told me. In Boston last year, Fieger told a cheering audience: "This is the civil rights issue. And if you don't stand up and say, 'Hell no, you Christian Coalition, you right-wingers, I own my own life. I own my life,' then you ain't free." When a lone critic challenged him, Fieger shot back: "If you and people like you are populating heaven, then I want to go to hell."

Fieger, who likes to compare himself to Clarence Darrow, is an intimidating and inventive litigator. Last year, seeking to stop prosecution of Kevorkian, he filed thirteen separate suits and then, after each was assigned, withdrew twelve so that he could effectively avoid the random draw and get the judge he wanted. For this blatant judge-shopping, he and his firm were fined $7,500 by a panel of federal judges. On another occasion, Fieger accused prosecutor Voet of "covering up a murder" in the suicide of an inmate, a charge that proved baseless and got Fieger hauled before the state's attorney grievance commission. Fieger battled his own drunk-driving ticket up to the Michigan Supreme Court, in vain. He hounded *Detroit Free Press* editors to soften an unflattering profile, and he has bullied reporters, warning one, William Treml: "You better watch what you write about me."

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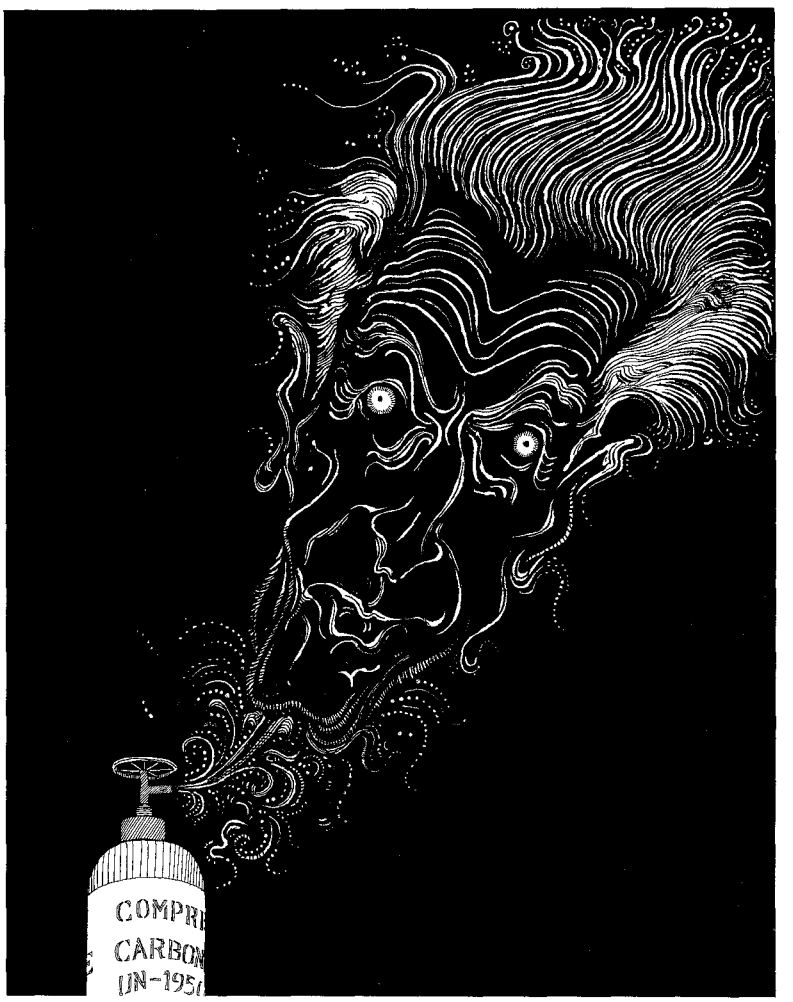
Normally, journalists are cautious in characterizing suspicious deaths and those involved in them. But on the Kevorkian story it is the norm for the press to report as fact whatever Fieger says. Someone has died with Jack Kevorkian at the bedside. The coroner has ruled the death a homicide. In any other circumstance, the death would be treated in the press as such. But in this case, the headline reads "ASSISTED SUICIDE." Why are the media so willing to suspend disbelief and accept the view of the man accused of participating in the homicide? The answer, ultimately, is about the biases that journalists bring to their jobs, and a prime example is the work of one of the most influential reporters on the Kevorkian beat, the man who covers Dr. Death for *The New York Times*, Jack Lessenberry. Lessenberry, a Detroit freelancer who is the *Times*'s principal writer on Kevorkian, pretends objectivity in his *Times* pieces. But in an op-ed column he regularly writes for *Metro Times*, a Detroit weekly, Lessenberry betrays his views, describing Fieger as "a brilliant lawyer" who "seems to be on the brink of changing history"; Kevorkian as a compassionate doctor who "has standards"; and the police who pursue Kevorkian as the "Keystone Cops."



JACK KEVORKIAN BY VINT LAWRENCE FOR THE NEW REPUBLIC

"Frankly, I don't care if he eats toads," Lessenberry once wrote of Kevorkian in *Metro Times*. "What worries me far more is being denied the right to check out of the Heartbreak Hotel someday if and when I need to."

In a recent *Metro Times* column, Lessenberry wrote, "For years I have been accused of being an unprincipled apologist" for Kevorkian. "Indeed, early on I was corrupted into thinking this was and is really a civil rights story, one about individual struggles for the ultimate freedom." When I asked Lessenberry about his views on Kevorkian and assisted suicide, he said: "I differ from many journalists in that I believe I have a right to my own opinions, and I have said that this ought to be legalized."

Lessenberry debuted in *The New York Times* with a July 1993 puff piece on Fieger, in which he found "many Michigan lawyers" who "call Mr. Fieger shrewd and highly skilled," and none who had bad things to say about him, though attorneys critical of Fieger are not hard to find. "I felt that what was not being adequately reported was that Fieger was winning," Lessenberry told me. "I figured out early on that Fieger liked having it said that he was an important part of the story, and I sincerely believe that he is." Since then, Lessenberry has written dozens of articles on the Kevorkian beat for the *Times*, and those pieces have changed the tone of the *Times*'s coverage from critical to favorable, portraying Kevorkian in a notably sympathetic light. Lessenberry has also published pieces flattering to Kevorkian and Fieger in *Esquire*, *George*, *Vanity Fair* and other publications.

Last year, Kevorkian stood trial for the deaths of Sherry Miller and Marjorie Wantz under a 1994 Michigan Supreme Court ruling that assisted suicide is a crime under common law. In a *Metro Times* column before the trial started, Lessenberry asked: "Have we suddenly become some sort of Balkan comic-opera state, where judges make up laws on the spot to throw 'enemies of the people' in jail?" He added: "What I think is that ... the twelve jurors should speak as one: Not Guilty."

Having pronounced the proper verdict, Lessenberry then covered the trial for the *Times*. He described Wantz as being "in constant pain from a series of bungled surgeries," with no reference to psychiatrists who had questioned Wantz's sanity or to an autopsy that showed no evidence of disease. When the case concluded, Lessenberry extensively quoted Fieger's summation. Interestingly enough, the summation included a reference to living in a Balkan state: "Are we Albania now?" Of the prosecutor, Lessenberry wrote only that he had "painted a lurid picture of Dr. Kevorkian as a man who, he said, saw assisted suicide as only the first step to a world of bizarre medical experiments and organ harvesting." But Kevorkian *does* see assisted suicide as the first step to such a world; Lessenberry's "who, he said" disguised fact as allegation.

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Lessenberry says he has cultivated Kevorkian and Fieger to get the inside story. But there is more to the relationship. Lessenberry admits he edited an article Fieger wrote for *Penthouse*, and that he passed on to *The New York Times*, via his own computer, an op-ed piece Fieger wrote, and the *Times* published. Last summer, Lessenberry threw a party with Kevorkian and Fieger as the guests of honor. Fieger recommended that "Frontline" producers hire Lessenberry as a reporter for a 1994 documentary, "The Kevorkian File"; they did so.

Last September, in the *Times*, Lessenberry broke the story of Fieger's revelation that Kevorkian had aided in unreported deaths of Michigan residents. Asked how he got the story, Lessenberry said he'd found out that another local reporter had learned of one unreported death, so Lessenberry warned Fieger that their secret was out: "I said: 'If you'll say it on the record I won't use her name,' because I knew her name, and that was the deal on that." Lessenberry explains: "We use whatever levers we can."

Lessenberry denies any bias in his *New York Times* stories. Although he hopes one day to write the authorized biography of Kevorkian, he insists: "I would have no compunction whatsoever about blowing any access to them if I found any signs that they've ever coerced any patient or lied about what happened at a death." He noted that the *Times* editors had chastised him last year for writing a letter to THE NEW REPUBLIC criticizing a story about Kevorkian by Stephanie Gutmann (see "Death and the Maiden," June 24, 1996): "They said, 'You ought not to do that, you ought not to take a public stand.' " When I asked him whether his *Times* editors had questioned his *Metro Times* columns, he replied: "I don't think they read the *Metro Times*. Hopefully, you're not sending [the columns] to them, are you?" After I did send the columns to the *Times*, at the *Times*'s request, *Times* spokeswoman Nancy Nielsen said: "We had not previously known about the articles in the *Metro Times*. Our editors plan to review them ... and to talk to Mr. Lessenberry. Obviously we want to be sure that our writers on a debated issue are impartial in fact and appearance."

"Enough criticism of me," Kevorkian told reporters after his third acquittal last May. "I now consider this a legitimate medical service." By Halloween, Kevorkian had performed his legitimate medical service on eighteen more people. Only a handful of those eighteen were terminally ill.

One of the non-terminally ill was Rebecca Badger, who on July 9, 1996, became Kevorkian's thirty-third death client. Initial news reports had repeated as fact Fieger's assertion that Badger had "a very malignant case" of multiple sclerosis. In fact, Badger was perfectly healthy, according to Oakland County, Michigan, medical examiner Dr. Ljubisa Dragovic's autopsy. Confronted with the autopsy, Fieger charged: "Dr. Dragovic is a liar. I will put up a million dollars that Rebecca Badger had severe and crippling MS." Dragovic offered to double the stakes.

Then, Badger's doctors, who had diagnosed MS, told reporters they'd been deceived. Badger had a long history of depression and substance abuse. An ex-husband said she faked illness to feed her habit for painkillers. A daughter said she turned symptoms on and off. In retrospect, Badger's primary doctor diagnosed Munchhausen's syndrome, in which people fake or induce illness for attention. The *Times* ran no stories examining the troubling issues raised in the Badger case.

On August 15, as Judith and Franklin Curren, a Massachusetts couple, waited in a motel room for the celebrity pathologist to put them out of her misery, a Detroit rock radio station auctioned Kevorkian's sweater, worn at three trials and several deaths. A hospital emergency room chief bid $4,200 to win the sweater and an imitation "death certificate" with a real Kevorkian signature. That day, Kevorkian played golf, went to a popular lunch spot and before midnight dropped off Judith Curren's body at Pontiac Osteopathic Hospital. Fieger told reporters that Curren, a nurse, suffered from chronic fatigue syndrome and fibromyalgia, two controversial ailments. Lessenberry, in the *Times*, quoted Fieger saying that the death "should not even be treated as news, but as an everyday occurrence, something that goes on between the doctor and his patients."

The death of Judith Curren did indeed represent a fair example of what goes on between Kevorkian and his patients—and what goes on between Kevorkian and the *Times*. In his story, Lessenberry quoted Kevorkian as saying that "this was her decision, that she was mentally competent, that her case merited action." No critics appeared in the story to question Kevorkian's claim.

In fact, once again, Dragovic's autopsy showed no sign of any disease. And Boston and Michigan papers, wire services and many other publications reported that Franklin Curren, a psychiatrist, was being probed for improperly prescribing drugs to his wife. Three weeks before his wife's death, Curren had been arrested on a domestic assault charge. There had also been reports that Judith, who'd first met him as his patient, had considered suing him for malpractice; that one doctor said Judith Curren was addicted to painkillers and had complained of depression and spousal abuse; that autopsy tests had found evidence of tranquilizers, stimulants and painkillers in Curren's system. The *Times* reported virtually none of this.

A *Boston Herald* story had implied Kevorkian knew about the arrest in advance of Curren's death. *The New York Times* reported that Kevorkian was "surprised and startled" by news of the incident. In the *Metro Times*, Lessenberry dismissed the "enormous uproar" about Judith Curren: "Might she have wanted to live longer if her home life was happier? Maybe. I don't know. I am sure that since she was sane, that was her business—not mine."

As for Kevorkian and Fieger, the Curren case gave them no apparent pause. When I told Fieger that a domestic violence expert had recommended Kevorkian

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screen future customers for spousal abuse, Fieger responded: "Fuck her. Tell her to shove it up her ass."

Most news reports have treated the Badger and Curren cases as aberrations. Commentators remarked that Kevorkian was getting "sloppy." But for seven years Kevorkian's "medical service" has been rife with crucial questions about the hidden issues in assisted suicide. Properly investigated, Kevorkian's case file could help Americans make a more informed decision about whether patients can be in control when doctors have the power to recommend and carry out death as treatment. What follows is a brief examination of some of these largely unexplored areas.

Disability. Kevorkian's clear view is that life with even moderate physical limitations is intolerable. He has testified that the "voluntary self-elimination of individual and mortally diseased or crippled lives taken collectively can only enhance the preservation of public health and welfare." He once challenged critics: "I will argue with [them] if they will allow themselves to be strapped to a wheelchair for 72 hours so they can't move, and they are catheterized and they are placed on the toilet and fed and bathed."

Kevorkian has attended the deaths of a number of disabled people, people who might have chosen life if they had been given more support, more services and more options. Some, like Sherry Miller, who died October 23, 1991, were struggling to adjust from a lifetime of health to a new life with disabilities. "I feel like a 42-year-old baby, and I hate it," said Miller, who had multiple sclerosis. Asked why she wanted to die, Sue Williams, who also had MS and died in May 1992, told Kevorkian: "I'm tired of watching the day go in and out." Wallace Spolar, who had multiple sclerosis and died in October 1996, reportedly gave this as a motivation: "I don't want to die in a rat-infested nursing home."

Diane Coleman, who directs a Chicago independent living center, commented: "When Spolar says that, it's not about assisted suicide, it's about providing services. These are civil rights issues that are driving people to suicidal despair." She has also said: "It's the ultimate form of discrimination to offer us help to die without having offered us real options to live." To Coleman and others in the anti-Kevorkian group Not Dead Yet, "patient autonomy" is a chimera: "It's not the person's decision that counts. The medical professional decides whether you get suicide prevention or suicide assistance."

Depression. Can depressed people make rational decisions to end their lives? Is it the duty of doctors to treat their depression rather than affirm their suicidal impulses? Badger and Curren were among many Kevorkian customers who suffered from depression. Wantz, who died the same night as Miller, had a long history of psychiatric problems and mysterious pelvic pain. Several psychiatrists wanted her hospitalized for mental disorders. She was reportedly addicted to Halcion. The autopsy showed no physical signs of disease.

Depression also had been diagnosed in Miller years before her death. A psychiatrist who examined Lois Hawes the night before her death pronounced her suffering from "a moderate degree of depression." Hawes, who had cancer, died September 26, 1992. The doctor for Hugh Gale, an ex-merchant marine with emphysema, said he was depressed, but Gale refused to see a therapist and died with Kevorkian's help on February 15, 1993. Dr. Ali Khalili, a Chicago rehabilitation specialist who had cancer and died November 22, 1993, told a doctor that "the quality of his life has been compromised by an anxiety state." Lisa Lansing, who died February 3, 1997, had complained for years of severe abdominal pain, but doctors couldn't find a cause; one doctor suggested she was faking to get painkillers.

Ambivalence. Kevorkian makes much of his "screening" process, by which he says only those who clearly state their wish to die are given the final treatment. But in the videotapes of predeath "consultations" that Kevorkian makes of his clients, the outcome seems a fait accompli. Although he repeatedly tells clients they can back out, and in 1992 published guidelines barring treatment to any patient who "manifests *any degree* of ambivalence, hesitancy or outright doubt with regard to her original decision," Kevorkian has helped people die after they have expressed doubts.

After flying to Michigan to meet Kevorkian, Badger called a friend, Cecelia Moody, and asked: "What do you think?" Moody later recalled that "there was doubt in her voice." Then Badger said: "Dr. Kevorkian just got here. I have to go." Misty Nichols, Badger's daughter, has said that her mother told her "there's no way she can tell until the moment comes if she's going to do it."

Merian Frederick, who suffered from Lou Gehrig's disease and who died with Kevorkian's help on October 22, 1993, wrote her daughter Carol Poenisch a note prior to her second meeting with Kevorkian: "am aware I am in a volatile state. Easily swayed.... I may be susceptible to being used for publicity."

Or consider the case of Gale: on the videotape of the first meeting between Gale and Kevorkian, Gale's wife, Cheryl, said her husband "started getting nervous before you came." Gale said he was worried he would have a choking spasm when carbon monoxide was administered.

"You'll go to sleep and that's it," Kevorkian assured him. "You won't wake up.... You won't feel it."

Because they were concerned that they might not have enough carbon monoxide on hand to poison Gale, Kevorkian and his assistant Neal Nichol decided to rig up a tent to be placed over the usual face mask, thereby maximizing the gas's effectiveness. "You'll go to sleep at roughly the same time," Kevorkian said to Gale. Then Kevorkian asked him to recline his chair more, and inquired: "Are you comfortable with that?" Gale said, "Yeah." Gale's wife interjected: "He's telling you this because he wants to please you. If he stays like that for long, he starts coughing and choking." Kevorkian

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assured her: "Oh, he'll be asleep within two minutes." But when Gale's day to die came and he pulled a string to release the carbon monoxide, he began gasping for air, just as he had feared. He yelled: "Take it off!" The mask and tent were removed. Then Gale insisted he wanted to continue. Kevorkian resumed the procedure, and Gale died.

Family dynamics. Many Kevorkian customers wanted to die to spare their families further grief. Miller worried she was taxing her aging parents, who were her primary caregivers. Adkins felt her death "was a gift to her family, sparing them the burden of taking care of her," a friend said. Frederick "did not wish to burden her children with a totally dependent person who would be a constant source of pain for them," said her minister. Before she died, Loretta Peabody, a woman with MS who died August 30, 1996, told her husband: "Think how bitchy I can be.... You can't get hell from me anymore." She added: "If you find someone you care about, go for it." Not long after her death, Peabody's widower remarried.

Money was an issue for many families. Hawes had no savings or medical insurance and worried cancer treatment would leave her family in deep debt. Years of care for Curren and Wantz left huge bills. Margaret Johnson, a friend who delivered Lisa Lansing's body to a hospital, was the sole beneficiary of Lansing's $500,000 estate. It is unknown how many other family members or friends have benefited from Kevorkian-aided deaths by collecting on insurance policies or inheritances.

Honesty. Duplicity figures prominently in the Kevorkian campaign. Since November, when Kevorkian promised not to be present at suicides as a condition of a bond agreement, Fieger has denied knowing anything about his client's role in six deaths that appear to possess Kevorkian trademarks. Kevorkian no longer reports the deaths of Michigan clients. At all three of his trials Kevorkian has relied on the patently disingenuous defense that he never meant to help anyone die, exploiting a legal loophole that exempts doctors who prescribe lethal doses of pain medication with the intent of relieving suffering. "My intent was to relieve pain and suffering, not help them die," Kevorkian said of clients to whom he had provided lethal amounts of carbon monoxide.

On August 4, 1993, Detroit police found the body of Hyde, a young man with Lou Gehrig's disease, in the back of Kevorkian's van on Belle Isle. At the trial in Detroit, Fieger announced that Hyde had died in another county. Oddly, Kevorkian and Fieger had not brought this up in nine months. The prosecution was unable to convince jurors the death occurred in its jurisdiction.

The most disturbing possibility of duplicity may have occurred in the Gale case. Kevorkian's original written report on Gale's death said that, after the procedure was resumed, Gale made a *second* request to "Take it off!" but "he fell into unconsciousness. The mask was then left in place." Later, Kevorkian, using white-out and a manual typewriter, deleted references to any second request to "Take it off" and substituted a sanitized version of what happened. Fieger says the original writing that Kevorkian excised was "a typo"—a typo four lines long. The discovery of the altered memo nearly got Kevorkian prosecuted for murder, but the witnesses to Gale's death closed ranks. In depositions, Gale's widow, Cheryl, and Neal Nichol, who attended the death, both swore that Gale had made no second request to "Take it off!" At his trials, eyewitnesses have parroted the defense line that Kevorkian's actions were not meant to cause death.

Accountability. Kevorkian recognizes no bright line between assisted suicide and euthanasia. In one interview, he said: "[W]e need euthanasia, for certain cases where people are in comas or too immobile to press a button." According to *The Detroit News*, if Adkins had lingered, Kevorkian said he was prepared to "finish it myself." Has Kevorkian "finished off" patients when his homemade delivery systems failed? We don't know. Has he claimed the privilege of conducting experiments on his doomed clients? We don't know.

But these are not issues the media seem to want to deal with. Lately, less and less attention is paid to Kevorkian. With more than forty-five customers dispatched, the story has become routine. Corpses appear in motel rooms; Kevorkian no longer admits involvement. Family members cover his tracks. Self-certified and unsupervised, Kevorkian obtains and dispenses lethal drugs, transports corpses and dares anyone to stop him. Frightened by the polls and three acquittals, prosecutors are loath to interfere. The press is bored by him now, and the arrival of another corpse warrants just a few paragraphs. Most reporters and editors will stick with the storyline.

One remaining trial, scheduled for June 10, stands in the way of complete implementation of Kevorkian's "little experiment." A grand jury indicted Kevorkian for assisting in the death of Peabody, whose body was cremated before Kevorkian's role was discovered. In the *Metro Times*, Lessenberry already has pronounced the Peabody trial "another show trial, another acquittal."

Jack Kevorkian once pointed out, with rare insight: "It all boils down to the integrity of the doctors. This is what people are afraid of. They don't really trust their doctors, and I can see why. They have made a mess of their profession." The irony of Kevorkian is that Americans frightened of dying and mistrustful of doctors have been sold on a plan to give doctors much greater power to decide who lives and who dies. A medical maverick has paved the way for total physician control over life and death. A man who calls doctors untrustworthy demands that we place absolute trust, and absolute power, in the hands of certain doctors—those who think like him. In 1993, Kevorkian told Lessenberry: "This is a medical procedure ... that only medical men should decide." All power to the doctors. Among them might be giants, and thousands of legalized Kevorkians. •

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THE HARD QUESTIONS

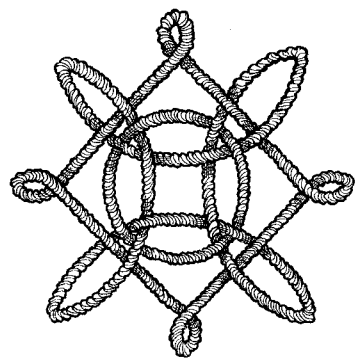
Lemon aid

As high-school seniors across America ponder their choice of colleges, their parents wonder how they will pay the bill. The price of tuition, room and board at some private colleges and universities now tops $30,000 per year. For many families, however, the actual cost is not as staggering as it seems. As with airline tickets, not everyone pays full fare. For several decades, colleges have offered financial aid to students whose families cannot afford the full price. And, in recent years, a growing number of colleges have offered merit scholarships to desirable students regardless of financial need.

The trend toward merit scholarships has been a boon for families who don't qualify for need-based financial aid, and a valuable recruiting tool for colleges eager to compete for the best students. But, from the standpoint of higher education, merit scholarships are a mixed blessing. More money for students who can afford to pay their way may mean less money for the needy. Merit-based aid increased at an annual rate of 13 percent during the 1980s (adjusting for inflation), faster than the increase in need-based aid. The effect is most dramatic among second-tier schools trying to compete with those in the top tier for the most qualified students. Private colleges and universities ranked in the top fifth of selectivity offer little merit-based aid. In contrast, at liberal arts colleges ranked in the second tier, almost half of all scholarship funds are awarded according to merit.

The strongest argument against merit scholarships is that "merit" is a euphemism for "market." According to this argument, merit scholarships represent the intrusion of market values into education. Colleges that offer top students a discount on tuition are not simply honoring high academic achievement; they are buying better students than would attend their institution if financial aid were tied to need alone.

Unlike ordinary businesses, colleges and universities do not seek to maximize profits. But they do seek to maximize qualities such as academic selectivity, excellence and prestige, all of which cost money. The drive to compete has led many colleges to adopt market-like policies in admissions and financial aid. From the standpoint of the market, a merit scholarship, like a supersaver airfare, is a discount on a product designed to help the bottom line. Like the airlines, many colleges now employ computer-driven "enrollment management" policies that predict the "willingness to pay" of student applicants in various categories. These days the price of a seat in the freshman class may vary not only according to the financial circumstances and academic standing of the applicant, but also according to race, gender, geography or proposed field of study. Some schools have found that those who come for a campus interview are more eager to attend and therefore more willing to accept a leaner financial package.



Whether market-like practices rationalize or corrupt college financial aid policy depends on the purpose of higher education. Insofar as education is a commodity—an investment in human capital that yields a stream of future earnings—there is a case for allocating it according to market principles. To the extent that education advances non-market ideals—the pursuit of truth, the cultivation of moral and civic sensibilities—there is reason to worry that market principles may be corrupting.

These two visions of college education clashed a few years ago in a remarkable antitrust case brought by the Justice Department against a group of elite Northeast colleges and universities. Since the late 1950s, the eight Ivy League schools and MIT had agreed to offer financial aid solely on the basis of need, as defined by a common formula. To implement their agreement, representatives of the schools met each year to compare financial aid offers and adjust for discrepancies. A student admitted to Harvard, Princeton and Columbia, for example, would receive a comparable financial aid offer from all three.

The Justice Department brought an antitrust action against the schools, claiming the practice amounted to price-fixing. The schools replied that they were not profit-making firms but educational institutions advancing two worthy social purposes: assuring equal access for those unable to afford an elite college education, and enabling all admitted students to make their college choice untainted by financial considerations. Financial aid was not a discount on a product, they argued, but a charitable gift that schools bestowed in order to advance their educational mission.

The federal courts ultimately rejected this view. "Discounting the price of educational services for needy students is not charity when a university receives tangible benefits in exchange," stated the U.S. Court of Appeals. Those tangible benefits were not profits, but the exceptional students Ivy League schools were able to attract who would otherwise be unable to enroll. The ability to avoid competition with peer institutions in awarding financial aid also enabled Ivy League schools to set higher tuition rates than might otherwise be possible. While the Ivies can continue to share common principles for awarding aid, they can no longer compare individual cases.

Not surprisingly, the case against merit scholarships is advanced most strongly by the schools that need them least. In virtue of their prestige, the nation's most selective colleges do best in the competition for students when the financial playing field is level. One educational benefit of the merit scholarships offered by second-tier schools may be to disperse top students among a wider range of colleges rather than concentrate them among a handful of elite ones.

Still, the principled objections to merit scholarships cannot easily be waived aside. At a time when government support for education is waning, the principle of access for needy students has become difficult to sustain for all but the richest institutions. And even schools that reap a competitive benefit from the use of merit scholarships should not be lulled into ignoring the dangers of creeping commodification. The most ardent advocates of markets would still, to some degree, insulate higher education from market pressures. For example, if it is all right to offer full scholarships to attract top students, what about offering salaries? Why should the NCAA not allow open bidding for the services of star athletes? Or, if colleges find that certain courses or majors are oversubscribed, why not charge a premium for them? If an unpopular professor draws persistently low enrollments, why not offer his courses at a discount?

At a certain point, market solutions sully the character of the good they allocate, at least where higher education is concerned. The growing use of merit scholarships may be approaching that point.

MICHAEL J. SANDEL

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BOOKS & The Arts

Stanley Kauffmann on Films

In a Cruel City

Liège, in Belgium, is a heavily industrialized city. Seraing is a suburb, populated largely by Liège workers and—nowadays—ex-workers. Unemployment is high. As in other European industrial cities, many in that workforce are immigrants from all over the world. Also, as elsewhere, many of those immigrant workers were smuggled into the country and have no papers or, if they once were legal, have overstayed their permits. Thus they are easy pickings for local people who rip them off for lodging and various kinds of help.

This is the subject of **La Promesse** (New Yorker). Rather, this is the setting: the film concentrates intensely on a few people in that setting. *La Promesse*, though generated by social and economic conditions, is not a socioeconomic report: it's a moral drama, simple and deep. There's a familiar paradox: by concentrating realistically on people in a certain context, the film goes past the realistic into the thematic, the abstract.

This wonderful picture was made by two brothers, Luc and Jean-Pierre Dardenne, born in Seraing and now in their 40s, who have spent most of their twenty-year filmmaking career doing documentaries for European television. They have made two fiction features, unseen here; and with this third feature they step into the front rank of contemporary directors with social concerns, alongside Ken Loach and Mike Leigh.

The film begins with one person and follows him into a complex environment. Under the credits we hear the thrum of a machine—no music. We see Igor, a nice-looking if impassive 15-year-old, pumping gas at a garage. An old woman drives up, and Igor fixes something under the hood of her car. She gets out to look at it, and he gets in to start the motor. He sees her wallet on the seat next to him and snatches it. When she notices that it's missing, she is especially upset because she has just picked up her pension. Igor advises her to go back and look in the parking lot—there are a lot of thieves about, he says.

Igor goes through the garage to the backyard where he takes out the money, then buries the wallet. In the garage his boss is about to teach him something about soldering when a car hoots outside. It's Igor's father calling for him early. The boss is vexed, but Igor leaves.

This brief sequence is like an overture to the whole film. Igor is brisk but polite, with the old woman, with his boss. His entire conduct, including his thievery and his composure at taking the old woman's pension, is serious, merely part of his behavior pattern. We have been given a brief but graphic sketch of Igor's mind and bearing—and more. This opening sets the Dardenne camera style. Urgent. Close. Igor moves quickly, and the camera follows him: his kinesis is the film's. No time is wasted on establishing shots or vistas. To be with Igor is to be in his tempo.

We now see where he got it: from his father, who is also the source of his ethics. Roger is a jowly, bespectacled working-class man, always driving or moving hurriedly. He owns and runs an old building split up into tiny apartments where immigrant workers live at high rents. Roger also does some transporting, some document-forging, other scams. His attitude is business-like, not consciously criminal: serious, brutal if necessary, but generally matter-of-fact. Igor clearly accepts this hustle—wed to the camera's hustle—as the order of the universe.

Then a young African woman, Assita, arrives from Burkina Faso with her infant son. She is there to join her husband, Hamidou, already resident in Roger's flophouse. She is tall, dignified, assured. As soon as she is with Hamidou, she gives their baby a ritual bath to protect him from the evil spirits in this place.

A few days later Hamidou is working on a scaffold on the building next door when the police arrive unexpectedly. Roger sends Igor to warn Hamidou to hide because the African's papers are no longer good. In his hurry Hamidou falls from the scaffold. He thinks he is dying. Igor finds him; and Hamidou makes him promise to take care of Assita and the child. That is the promise of the title.

Hamidou need not have died. Igor tries to halt the bleeding and get him to a hospital, but Roger comes along, stops the first aid, and refuses to take Hamidou to a hospital because of the legal trouble that would follow. He orders Igor to help him hide the African under some canvas. Later, he and Igor bury the corpse in cement. When Assita asks about Hamidou, Roger tells her that he has gone off for a while. Roger hatches a scheme to get her to return to Burkina Faso without Hamidou, but she refuses to leave. Igor begins to take steps to pro-

FILMS WORTH SEEING

The Designated Mourner. *Wallace Shawn's piece for three speakers who sit facing us, casually describing the end of civilization. A quasi-vernacular elegy, funny, frightening, lovely. The leading speaker is Mike Nichols, excellent. (Reviewed 3/24/97)* **Hamlet.** *Kenneth Branagh's direction and performance. Some florid directing, but he and some of the others are fine. (1/27/97)* **Hollow Reed.** *English. A custody battle for a boy between his divorced parents, a loving mother with a brutish boyfriend, and a loving father who is gay. Well written and acted. (5/5/97)* **Traveller.** *Adventures of a Southern con man. Some cleverness, some charm. Bill Paxton is very winning. (5/19/97)*—**SK**

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tect and help her. The gravamen of the picture is what happens to Igor because of his promise.

Why, suddenly, in this speedy, money-focused life, did this particular promise hold him? First, the shock of death. Second, Roger's behavior, which Igor understands—Roger is protecting himself and *his* family—but which nonetheless shocks him. Third, most important, Assita herself. This grave, composed woman refuses to waver in her duty; she will wait for her husband, no matter how harassed she is. She relies on magic and juju—she consults an African seer to find out about Hamidou; she splits a live chicken to read its entrails—but rather than seeming barbaric, she appears to Igor to be in touch with larger matters than the daily frantic grubbings of himself and his father.

It is through her clarity that he first glimpses virtue. It is through her loyalty that he first understands selflessness. None of this is preached: it happens. Just as Igor snatched the wallet at the start without thinking it exceptional, so Assita cares for her son and is devoted to Hamidou—it is the order of things. The film ends with Igor touched more profoundly—too profoundly for surface emotion—than he suspected was possible for him.

Olivier Gourmet plays Roger with a dispatch that implies previous thought and resolve. Jérémie Renier as Igor is, because much younger, more remarkable. Helped by the brothers Dardenne, he metamorphoses from his father's son into a daring, somewhat frightened but courageous individual. The catalyst is Assita, played by Assita Ouedraogo. She is a schoolteacher in Burkina Faso and is not related to the filmmaker Idrissa Ouedraogo, though she has appeared in three of that master's films. She seems to assume nothing in her role: she simply endows the film with her beautiful presence.

The Dardenne brothers, as shown by their empathic casting, their very choice of theme, have confessed to a burden. They believe in hope. They insist that under the frenzy of our world, physical and moral, there is quiet. And that the quiet in one person, born to it in a remote place, can speak to the quiet that is buried in a native of noise. They insist with such subtle fervor that they induce us, too, to share that burden of hope. •

Hate in the Time of Cholera

BY SHERWIN B. NULAND

Quarantine! East European Jewish Immigrants and the New York City Epidemics of 1892

by Howard Markel

(Johns Hopkins University Press, 262 pp., $29.95)

The Yiddish language is only scantily endowed with cuss words. In the *shtetlakh* of Eastern Europe, it was impossible to "swear like a trooper" or to "curse a blue streak," because the requisite vocabulary did not exist. Still, whatever they lacked in "goddams" and "fuckin' assholes," the millions of Yiddish-speakers of yore were more than adequately compensated by a vast store of imprecations. Limited only by their own linguistic ingenuity, yesteryear's Jews could call misfortune down on the heads of friends and enemies alike, in terms so colorful and even amusing that they later became staples for the Catskill comedians, to wit, "*vi a tsibbeleh zolst du vaksen, mit kup in der erd un fis in di luft,*" "you should grow like an onion, with your head in the ground and your feet in the air," or "*vi a kandelaber zolst du zein, hengen beitag un brennen beinacht,*" "you should be like a chandelier, hanging by day and burning by night."

I learned about these things at a tender age. The rear windows of the small apartment in which I grew up faced out onto a concrete-paved space, surrounded on its four sides by the walls of the two adjacent buildings, ours and the real apartment house next door. Into that busy little square would come an endless stream of old-clothes peddlers, street singers, itinerant tradesmen of various sorts, and other representatives of that entire spectrum of penny-hucksters who made their precarious living by working the backyards of the Bronx in the decades before World War II. My little courtyard had the acoustic qualities of a vertical megaphone five stories high. On summer days, amplified words flew in and out of open windows as though the speakers intended that their conversations should reach the most remote corners of every neighbor's rooms.

Thanks to a constantly bickering couple on the third floor, I enlivened my vocabulary with a goodly store of old-world maledictions before my eighth birthday. The acrimonious Weinstein and his acid-tongued missus lived in a state of perpetual warfare. Although they were not particularly innovative in their verbal assaults on each other, their mutuality of eye-bulging hatred could be depended upon to provide periodic bursts of the more common classics of Yiddish execration. Being much taken, even at such a tender age, with alliteration and parallelism, I was especially fond of "*a brannt dir in di kishkes, a bruch dir in di gedayrim*:" "there should be by you a burning in the intestines, a breaking in the guts."

The reason that intestinal burning and destruction was so powerful an allusion was simply that it called up a reality of common experience. The immigrant Jews of my childhood knew of such things by having suffered the agonizing symptoms themselves or by having witnessed them in others. To have them wished upon oneself conveyed the absolute earnestness of the curse. Unlike ineffectual references to theoretical onions or chandeliers, the anguish of intestinal fires was not drawn from the imaginative mental meanderings of a ranting belligerent. Such dreadful wishes might actually come true. Everyone of Eastern European origin was familiar with cholera.

Wishing cholera's ravages on his wife was more often than not followed by Weinstein's direct invocation of the feared name itself: "*zol a cholerye dir choppen!*" "May you be seized by cholera!" Though less evocative of the fearsome imagery, this form of the wish left no doubt as to the speaker's meaning. Die, he said, but first endure horrible suffering.

The vast majority of Eastern European Jewish immigrants came from the Russian "Pale of Settlement," a vast landmass that included what is today's Ukraine, Belarus, Lithuania and much of eastern Poland. Beginning in the early part of the nineteenth century, the Pale had suffered one after another epidemic of cholera, and virtually everyone of Weinstein's generation had intimate knowledge of the pestilence's horrors. They are vividly described in Howard Markel's remarkable chronicle of a single landmark year in the history of the inextricable bond that has often been forged between im-

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migration and contagion.

The onset of cholera typically begins with the victim's non-specific sense of simply not feeling well. Soon after this intuition of illness, sometimes in only a matter of hours, there comes a violent wave of vomiting and diarrhea. So forceful are the choleraic propulsions, from both ends of the gut, that the victim experiences intense, painful spasms of the abdominal muscles. The relentless diarrhea soon gives way to dehydration and shock. The victim's face appears blue and tight; the eyes are deeply sunken; the mouth and lips are parched and cracked. The cholera victim's vitality wanes as the diarrhea increases, accompanied by a clouded sense of reality, painful muscle spasms, seizures and coma. Between 30 percent and 80 percent of all cases of cholera during this period resulted in death.

Observers of cholera have likened the victim's massive evacuation of diarrheal stools to "rice water," because of their distinct appearance of dirty water studded with flecks of gray white matter (damaged and shredded intestinal lining). So copious is the loss of fluid by diarrhea that physicians employed a special "cholera bed," which was little more than a canvas cot with a hole cut in its center and a large bedpan placed directly below it. Even today, untreated cholera continues to carry a mortality rate approximating 60 percent, and no one is spared the *brannt* and the *bruch.*

Cholera well deserves its reputation as a disease of the poor. The causative bacterium, *Vibrio cholerae,* finds its insidious way into the intestine via human fecal contamination of the water supply. Whether in drinking water or on the surface of washed foods, when significant numbers of microbes have entered the gut of even a robustly fit individual, *Vibrio* begins to wreak its havoc without delay, chewing away at the intestinal lining until it is shredded and sloughing into the cavity of the bowel. Hence the horrible burning and destruction within. Not much longer than four to six hours after the onset of symptoms, a vigorous man in perfect health will not infrequently lapse into shock and die. Most victims destined to succumb do so within twenty-four hours.

Epidemics of cholera were raging in India as early as 400 BC, when Plato was just beginning to muse under the olive trees and Hippocrates was making his peripatetic way from one to another of the towns of Greece. For unknown reasons, the disease was restricted to the subcontinent until 1817, when a trading ship carried it to the Arabian Peninsula, from whence it began its spread northward through Turkey and southern Russia. By 1826, all of Russia, Poland, Austria, Germany and Sweden were inundated with it. Within five years, the rest of Europe and the British Isles had become lethally acquainted with *Vibrio.* New York City experienced its first outbreak in 1832.

In the eighty-five years between its initial appearance in Europe and 1902, cholera burst forth in huge intercontinental pandemics no fewer than six times. America's eastern seaboard states were hit hard not only in 1832, but again in 1845 and 1866, the year before Joseph Lister introduced the so-called "germ theory" by demonstrating that infections cannot occur in the absence of microbes. When an extensive epidemic appeared in the Middle East, Russia and other parts of Europe in the summer of 1892, New Yorkers read with mounting fear of its westward spread. The disease was particularly rampant in Russia, then undergoing one of its frequent periods of famine. More than half of its 620,000 victims had died. Riots were commonplace, and a general state of unrest prevailed in many Russian communities, as a poorly educated and panicked population lost any semblance of restraint in the face of the devastation caused by the dread malady that medical historians have given the dubious distinction of calling "the classic epidemic disease of the 19th century."

It was for good reason, then, that New Yorkers responded with apprehension to the ever-worsening news of these unsettling events. Immigration was at an all-time high, and a goodly proportion of it originated in the areas hardest hit by the epidemic. A mixture of age-old prejudice and well-justified concern was directed most particularly at Jews arriving from Eastern Europe, 69,140 of whom had entered the United States in 1891. In the seven months prior to August 1, 1892, 21,531 Russian Jewish immigrants had settled in New York City, the great majority of them having arrived in various stages of poverty.

Still uneasy in the aftermath of an outbreak of typhus fever among Russian Jewish arrivals earlier that year, New Yorkers were fearful that further pestilences might reach them from the same source. Not surprisingly, the typhus had served as a focus around which to rally the ever more vocal opponents of unrestricted immigration. Until the relatively recent past, nineteenth-century newcomers to America had for the most part been the admirably assimilable Scandinavians, Irish, and Germans; but more recent arrivals were thought by many to be so remarkably different from the citizenry of our bustling nation that their becoming part of it seemed unimaginable. This was the period when the tempest-tossed were indeed seen by Americans as "huddled masses" and "wretched refuse," whose

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appearance, dress, language, religious practices and customs brought entire new levels of meaning to words like "alien" and "foreign." The anti-immigrant fervor had already forced the passage of the Chinese Exclusion Act of May 5, 1892.

Unlike the Chinese, however, the Italian and Eastern European immigrants swarming in large numbers to America's shores, no matter their differences from predecessors, were nevertheless of the same race as those who would attempt to exclude them. Most Americans, narrow-minded or not, were at least just a bit ambivalent about preventing immigration from Europe, and many were unbendably opposed to it. The more bigoted sought objective justification for their inclination toward prejudicial laws, and they found it in the specter of disease. Just as the incoming human tide was rising to its full flood, the *Vibrio cholerae* and the *Rickettsia prowazekii* of typhus fever came to the aid of the nativists and the exclusionists. In the perception of many, when the immigrant waves broke on our shores they poured people and pestilence alike into America's crowded harbors.

And the busiest of those harbors was New York. So busy was it, in fact, that its tariffs on incoming goods accounted for more than half of the federal government's budget. New York was the port of entry for at least 75 percent of all immigrants. Although many of them moved on to other parts of the country, the great majority of the Russian Jews not only remained in the city, but 82,000 of them had become concentrated in an area of less than a half square mile in size that is estimated—with 523 inhabitants per acre in 1890—to have been the most densely populated area in the world. The so-called Lower East Side is viewed nowadays with a degree of misguided nostalgia by the descendants of its denizens, but it was a district of squalor whose stifling air was fouled, as Markel puts it, with "the odor of rotting fish, meat, and vegetables sold on uncovered pushcarts, the immense amount of animal waste from horse-drawn wagons and trucks, dirty streets and the stench of a crowded humanity." In 1890, Jacob Riis, in his revelatory *How the Other Half Lives*, described a single, not atypical, tenement in which Jewish parents were raising a total of "fifty-eight babies and thirty-eight children that were over five years of age." The situation is nicely epitomized in a single sentence from Irving Howe's *World of Our Fathers*: "Life was abrasive, clamorous."

In that summer of 1892, the possibility of an epidemic of cholera was being faced by a populace barely past the outbreak of typhus fever, during which 200 cases had suddenly made their appearance on the Lower East Side. With few exceptions, all the patients had been Russian Jewish immigrants who had arrived on January 30 in steerage aboard the *S. S. Massilia*, a French steamship whose port of embarkation was Marseilles.

Its precise cause was unknown at the time, but the physicians of 1892 recognized typhus to be a disease associated with crowding and filthy living conditions. (It would later be shown to be transmitted by body lice, which ingest the bacteria in a meal of blood obtained by biting an infected person. When the louse bites the next victim, *Rickettsia prowazekii* in its feces is ground into the punctured skin by the act of scratching the itchy place.) Known to be easily spread, difficult to diagnose, and with its manner of transmission still a mystery, the disease frightened health officers and the public alike, especially because one of the theories of its origin was that it was emitted by a noxious vapor arising from large groups of dirty people. This was in keeping with the ancient and not completely discarded medical belief in miasma, which held that infectious and other diseases are caused by some vaguely characterized toxic influence in the atmosphere.

The response of the health authorities was predictable. Along with the typhus fever victims, the healthy Russian Jewish passengers of the *Massilia* and many of the contacts they had made in their few American days were rounded up, some of them literally torn from the arms of screaming relatives with whom they had just been reunited. Herded together in quarantine on North Brother Island, five miles up the East River near 140th Street, the bewildered Jews found themselves "downwind from the city's garbage dump at Riker's Island." Neither the ship's cabin-class passengers nor 470 Italians in steerage were detained.

Conditions on the island were even worse than those in the Lower East Side from which the uncomprehending immigrants had been abruptly dragged off. So insufficient was bed space in the closely packed pavilions that many of the 1,200 quarantined Jews (of whom 1,150 never showed any evidence of typhus) were put up in flimsy tents. The outhouses were disgustingly befouled, and the only certain way to bathe was by immersion in the river, when soap could be found. No precautions were taken to prevent previously healthy detainees from acquiring the disease, with the result that six of them died. Medical care was inadequate; the temperature in the first wintry weeks was often in the teens; and the confused, terrified immigrants were left without any way to make contact with the mainland. As if such appalling circumstances needed worsening, the Jews were deprived of the kosher food without which many of them could barely subsist. For those newly arrived from the oppression of Russia, this was a harsh indoctrination into the land of the free and the home of the brave.

In some ways even more egregiously, those who died were autopsied and then either cremated or buried in tightly sealed metal containers, all violations of Jewish laws. It took a major protest by representatives of the city's well-established German Jewish community for the authorities to relent on their burial rules, and then actually to begin the provision of kosher food. By that time, even the typhus-free prisoners (for that is what they were) were "so weak [from hunger] that they fell over each other when they tried to walk about." Still, several newspapers belittled the requests for kosher food, implying that the Jews were overly demanding and ungrateful for what was being done for them.

Health officials responsible for the quarantine justified such inhuman conditions on the grounds that typhus fever must at any cost be prevented from spreading. Even its early symptoms of muscle pain, intense headache and high fever were debilitating. These were followed by the appearance after about a week of a rash consisting of large areas of reddish-pink splotching. In the second and third weeks, blood pressure often fell as kidneys and other organs began to fail, but it was the phase of altered consciousness that was most distressing to onlookers. This often manifested itself as delirium, in which the patient might become incoherent, noisy and violent, requiring constant observation and even physical restraint, lest he injure himself and others. Approximately one in four of the stricken patients died.

The result of the strict quarantining was exactly what had been hoped. By April, the epidemic had been conquered and the public was lionizing the Health Department's patrician chief inspector for contagious diseases, Dr. Cyrus Edson, the son of a former mayor and an active member of Tammany Hall and the New York City Democratic Committee. Taking no chances, Edson had employed draconian measures to halt the epidemic, and they had worked. In addition, Dr. William Jenkins, the health officer of the Port of New York (and likewise in political favor, having married the sister of Richard Croker, the boss of Tammany Hall), had not hesitated to invoke a policy of detaining and quarantining every Eastern European Jew coming through the harbor. No other group was affected by the order, which remained in place until April.

William Chandler of New Hampshire,

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the exclusionist chairman of the U.S. Senate Committee on Immigration, went even further. He proposed legislation severely limiting immigration. His restrictions, aimed at the new kind of immigrant, included a literacy requirement, directed particularly at the Russian Jews. Forbidden under Czarist rule to obtain a Russian education, the great majority of the entering Jews were literate only in Yiddish (few spoke Hebrew with any fluency), which was officially considered a jargon and therefore not satisfying Chandler's criteria for reading comprehension and language.

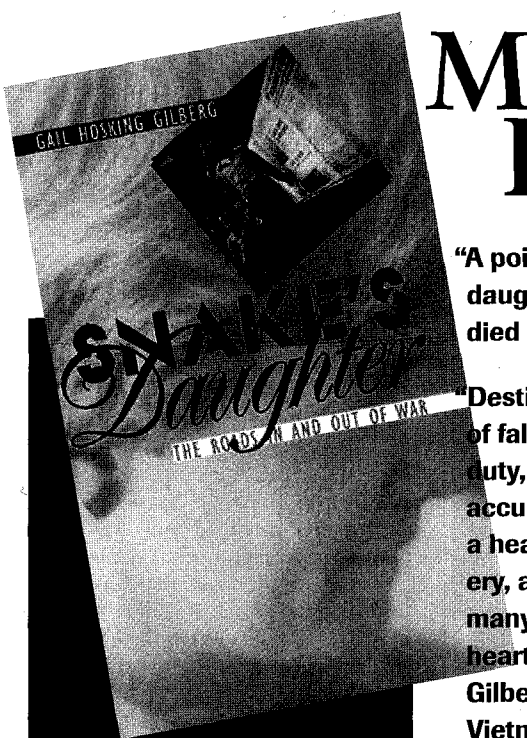
Emboldened by the success of the anti-typhus measures, and encouraged by the nativist sympathies of so many New Yorkers, Jenkins imposed a strict quarantine over the Port of New York when the threat of cholera appeared that summer, so close on the heels of the typhus outbreak. The cholera scare began with the arrival from Hamburg of the *S.S. Moravia*, following a voyage on which twenty-two passengers died, twenty of whom were Russian Jewish children under the age of 10. By the time of the ship's landing, the source of the *Vibrio cholerae* had been traced to drinking water drawn from Hamburg's contaminated Elbe River. But an immediate twenty-day quarantine was nonetheless slapped on all steerage immigrants of every ship entering the United States, no matter its port of origin. The ruling did not apply to cabin-class passengers. In truth, this maneuver was a bit of bureaucratic legerdemain intended to halt all steerage immigration, because no steamship line could afford the $5,000 or more it cost in daily port fees and lost income to keep its vessels in dock.

When several other ships brought in cholera victims, and then sporadic cases were discovered in the city, the panic mounted. Without any supporting evidence from the city's bacteriology laboratories, the authorities instituted the most rigid restrictions and measures, aimed primarily at the immigrants. Kosher butcher shops were closed down for even the most minor infractions of the sanitary code; hundreds of immigrant dwellers in the tenements were evicted from their homes and into the streets, when Edson ordered a meticulous and quite unnecessary inspection of 39,587 houses in the Lower East Side, calling the buildings "breeding places of the allies of cholera;" and each cholera victim was forced into a large canvas bag tied tightly by a drawstring around the neck and in this manner transported to the infectious disease facility at Willard Parker Hospital. These measures, and many others, were utterly inconsistent with germ theory, and more far-reaching than indicated by the facts or recommended by some of the leading medical scientists of the time.

Meanwhile the police in Boston, Chicago, Cleveland, Detroit, Port Huron, Montreal and Baltimore instituted a blockade of railroad stations and all other possible portals to prevent what they called "Russian Hebrews" from entering. Although these were initiatives taken by individual cities and states, they were instigated by Walter Wyman, the Surgeon General of the United States, and supported by President Benjamin Harrison. Harrison was such a strong proponent of restricting Russian Jewish immigration that he stated his position on the issue quite forcefully in two of his annual addresses to Congress. In the 1892 equivalent of what is now the State of the Union Address, he proclaimed that "we have, I think, a right and owe a duty to our own people, and especially to our working people, not only to keep out the vicious, the ignorant, the civil disturber, the pauper, and the contract laborer, but to check the too great flow of immigration now coming by further limitations." Yet the political implications of implementing such a policy were too uncertain to allow the president to pursue it directly. The twenty-day quarantine accomplished his intent, albeit temporarily, and avoided direct public confrontation.

As with the typhus, the cholera outbreak occurred against a background of some uncertainty about scientific reality. The germ theory of disease had been introduced twenty-five years earlier through the research of Louis Pasteur and Joseph Lister, but its acceptance was slow, particularly in the United States. After the initial rejection of the idea, the average American physician had gradually, if still incompletely, become convinced of the validity of most of its precepts. The notion that every infectious disease is caused by a microbe was close to being firmly established by the early 1890s, but some significant reservations still existed, and spectra of scientists supported spectra of variations in the doctrine.

It is Howard Markel's contention, and in fact one of the major themes of his book, that the management of the two New York episodes illustrates the striking tension "between the modern science of bacteriology and the politics of nativism." What is meant by "the modern science of bacteriology" as applied to 1892 is the point here in question, and it is a problem that has been teasing medical historians for the better part of the past fifty years. Although the New York health authorities were being advised by some of the most prominent bacteriologists in the country, Markel points out that these experts were rarely heeded. The behavior of the public officials, in his view, was "more in keeping



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with traditional responses to the diseased: a scapegoating of those afflicted or perceived to be at risk of disease, namely East European immigrants."

That insensitivity, class hatred, nativism and anti-Semitism affected New York's response to the epidemics cannot be doubted. Similar factors have always played a significant role in measures which, at least in theory, are meant to protect a threatened populace. They probably always will. Public danger brings out both the best and worst in the citizenry and its leaders, and has ever served as the shield behind which long-standing hostility toward minority groups is allowed to play itself out. Even considering the perhaps less enlightened era in which it took place, there could have been no justification for the callousness and even brutality with which the immigrants were treated.

And yet a complicating factor must be considered, at least in the matter of scientific knowledge and the willingness to apply it. Pitfalls in judgment have always characterized the analysis of past events, especially those whose unfolding was to a significant extent determined by the factor that might most appropriately be called the spirit of the age—a difficult butterfly to capture and even more difficult to dissect. The recent attention of medical historians to individual hospital charts and the daily case records of ordinary physicians—as opposed to the more traditional study of the writings of major contemporary figures—has cast much light on what actually was occurring in the real care of real patients, as distinct from what the profession's leaders were promulgating. Still, the general mood in which events took place at some past period will always for the most part elude us. As abhorrent as were aspects of the behavior of the authorities, it is virtually certain that they stirred up much less resentment among the populace than they would have had they taken place in the climate of today's pluralistic America.

Markel quotes the protestations of some of the press, and of certain prominent members of the Jewish and non-Jewish communities, but the influence of their outrage was not as great as a modern reader might expect. By and large, the immigrants were mistreated in an atmosphere of assent. Attitudes change slowly, and it would be a long time before the essential humanity of the struggling new arrivals would become a major factor in evoking the essential humanity of the emotionally distanced decision-makers. In addressing the calculus of immigrant suffering, empathy was an insubstantial consideration.

William Jenkins was confronted with the uncertainties of the looming epidemic, attacks by both nativists and liberals, and a press that criticized every move he made. In the face of harassment from all sides, he sought refuge in two old patterns of thought: the tradition that poverty and immigration add up to disease, and the exclusionist tradition of his class. Even though no evidence was ever found to support the notion that the cases of cholera within the city (which included ten deaths) were traceable to the immigrants, he instituted stringent measures consistent with the conviction that they were. Markel believes that the commissioner should have known better, or at least behaved in a manner more consistent with what he describes as the state of medical knowledge of the time: "Indeed, the tacit acceptance of steerage immigrants as the cholera vector and the resultant class-oriented quarantine effort, rather than the scientific principles of bacteriology, struck the major chord of the Health Department's administration of the crisis."

It is precisely here that a small quarrel may be picked with Markel about just what it was that made up "the scientific principles of bacteriology" in 1892. There is no question that several of America's leading authorities on infectious disease stated that many of the precautions being taken were unnecessary. The real issue that must be addressed is the extent of criticism that can rightly be directed at the officials in charge. Buffeted as they were between the nativists and the adherents of open-door principles; by the competing political interests of Tammany Hall and the elements of reform; by the turf battles over various aspects of the public health endeavor; by the sketchy education in the diagnosis and treatment of infectious disease not only of most physicians, but also of the health officers themselves—confronted by all this, their decisions seem to have been motivated not only by the aforementioned retreat to traditional patterns of response, but also by an earnest desire to protect the people for whom they felt primarily responsible: the citizens of their city. Even those who may have overcome an inherent bias against the new species of immigrant should not be overly blamed, in that far less minority-conscious era, for thinking first of those over whose health they had been appointed to watch.

Moreover, historians have recently revised their viewpoints concerning just how much assurance existed in the 1890s about what Markel calls "the scientific principles of bacteriology." In the January 1997 issue of *The Journal of the History of Medicine and Allied Sciences*, for example, Nancy Tomes and John Harley Warner wrote:

> [F]or all the greater sophistication in identifying pathogenic organisms, the interpretation of bacteriological evidence and the study of how germs circulated among large populations was still very uncertain in the late 1890's and early 1900's. In the absence of detailed evidence, public health practices long associated with sanitary science, as well as traditional ideas about disease causation, remained remarkably appealing. And, as perhaps should come as no surprise, ... the indigenous elites dependent on them quickly arrived at explanations that placed the blame on the homes and neighborhoods of the poor.

In acting as they did, the health authorities of New York did what they believed to be the prudent thing, consistent with measures then current among their colleagues all over the world. 1892 was a time when the old "filth theories" (the notion that disease is caused by dirt, on which sanitary science was based) were still so close to the germ theory that it was hard to know where one ended and the other began. No matter the bigotry, the class enmity and the nativism that may have motivated them, the New York officials and the politicians who supported them were acting in the customary and virtually universal manner long applied in anti-contagion efforts.

"The scientific principles of bacteriology" had not yet taken sufficient hold on medical and popular thinking for us, now looking back a century later, to realistically expect them to have done otherwise. The leading medical scientists who were giving advice were far ahead of those who were deciding whether to take it. It would be another decade before the situation would be significantly changed. Markel is clearly aware of all this. His awareness, in fact, somewhat blunts his implied premise, always there between the lines but never overtly stated, that class and ethnic discrimination against this one foreign group was somehow different and in certain respects unique, and that the differentness and uniqueness were the ultimately decisive factors in the officials' behavior.

What was being done to the Russian Jews was what had always been done to the poor. The conflict between Markel's sensitivity to the plight of these particular immigrants and his realization that official policy could hardly have been otherwise results in a kind of historical *pas de deux* in which two accomplished dancers cannot decide which of the pair will lead. First one is more forceful, then the other. Markel, who is himself a physician, never does solve the dilemma; and this is a tribute of sorts to both his scholarly detachment and his compassionate sense of identification with the immigrants. The doctor in him is at war

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with the historian.

But nothing else in this engrossing book is blunted, nor do his opposing loyalties otherwise strain its author's commitment. Whether discussing the national policy debates over immigration that grew out of the events of 1892 or describing the anguish of individual defenseless and terrified families as they faced the hostility and mistreatment forced on them, Markel's fascination with his subject, and with the personalities of those involved in it, never flags. Even the forums leading up to the Rayner-Harris National Quarantine Act of 1893 are presented in a fashion that is personal and dramatic, while at the same time meticulously documented. Indeed, Markel's documentation (running to fifty-seven pages of endnotes) is almost as absorbing as his text. The range of his book is nicely captured by the content of the very first and very last of the listed references. The former adduces a collection of essays titled *Framing Disease: Studies in Cultural History*, the latter adduces *Fiddler on the Roof*.

Quarantine! unites the best of the two worlds of social history and clinical history. And it is written in a narrative style so personal and at times so gripping that a reader forgets that the book is meant primarily to be a scholarly text. A wide variety of personalities appear in Markel's detailed study of this slice of American urban culture taken through the length of a well-defined period in our nation's history. Not only the patients and the public health authorities are brought vividly to life, but so are newspapermen, police, political figures and leaders of the various Jewish-American groups, be they representative of the well-settled Germans or the newly arrived Eastern Europeans. Events and the people who took part in them are presented with an immediacy uncommon in the current climate of specialization and relativism that has lately overtaken the community of historians. Markel is as much spinning a complex yarn as he is writing a scrupulously researched chronicle. Being one of our few card-carrying medical historians who is also a highly skilled clinical physician, he brings perspectives that would certainly have eluded his more sociologically minded colleagues. His work is a refreshing zephyr in a field that is nowadays frequently more windy than enlightening.

Markel resists the temptation to make sweeping statements about philosophy, character and psychology, the sort of empty generalizations that would make him friends in the precincts of multicultural relevance. He restricts himself to creating an accurate picture of a specific series of events that occurred among specific participants in a specific place at a specific time. He has presented his work in a narrative fashion that should be the envy of his colleagues in a discipline that has surrendered more and more to the *cholerye* of a formalized and recondite practice.

The legislation growing out of the episodes of 1892 was the result of the determination of two far-thinking political leaders who were committed to the principle of separating considerations of immigration from those of public health. In personal style and appearance, they could not have represented more of a contrast. Congressman Isador Rayner, Democrat of Maryland, was the short, balding son of Bavarian Jewish immigrants. Senator Isham Harris, Republican of Tennessee, was a tall courtly quintessential Southern gentleman who had been a supporter of secession. Together they overcame Chandler's scheme of immigration restriction and even convinced Surgeon General Wyman to back their plan.

The Rayner-Harris bill focused only on the public health needs of America's seaports and borders, by creating nationalized standards to be administered by the U.S. Marine Hospital Service. The bill set up specific procedures for medical inspection of immigrants and cargo, and it created a national system of quarantine regulations to be carried out with the cooperation and consent of state or local authorities. The power to suspend immigration on a temporary basis was put into the hands of the president. Harrison signed Rayner-Harris into law on February 15, 1893. The act's centralization of responsibilities would lead to the creation of the U.S. Public Health Service from the Marine Hospital Service in 1902.

Unfortunately, legislation has never erased bigotry. Only seven years after Rayner-Harris was signed, a severe epidemic of bubonic plague among residents of San Francisco's Chinatown resulted in another unnecessarily severe and racially insensitive quarantine, authorized by Surgeon General Wyman himself. The same thing happened to Chicano immigrants in 1924, when they were hit by pneumonic plague. To a greater or lesser extent, in America and elsewhere, it has ever been thus. In our time, we have witnessed the hysteria of some of our citizenry's private and public reactions to AIDS, not only when it was initially discovered among homosexual men, but also later—even now—as the disease has become increasingly identified with the disenfranchised and with particular immigrant groups. There is no reason to expect that the future will be any different.

SHERWIN B. NULAND's new book, *The Wisdom of the Body*, has just been published by Knopf.

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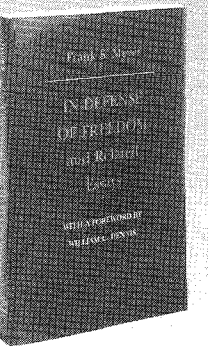

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Spawn of Fantasies

By Mark Ford

The Lost Lunar Baedeker: Poems by Mina Loy Selected and edited by Roger L. Conover

(Farrar, Straus and Giroux, 236 pp., $22)

Becoming Modern: The Life of Mina Loy by Carolyn Burke

(Farrar, Straus and Giroux, 494 pp., $35)

As conventional accounts of modernism shift and totter, all sorts of neglected early twentieth-century writers are being led from the shadows into the light. During her lifetime, Mina Loy, anything but a wallflower, seems to have been the magnetic center of whatever milieu in which she happened to find herself, but her refusal to construct an oeuvre or a career has meant that until recently she has figured in critical discussions of the period as a beautiful footnote to the doings of others. Over the past few years, however, an interest in Loy has gained considerable momentum, and her elliptical writings are now frequently championed as nothing less than the missing voice of feminist modernism.

Loy's five decades or so of obscurity seem to have been at least partly the result of her own diffidence. "I never was a poet," she remarked to her publisher Jonathan Williams as he prepared to issue a selection of her work in 1958. She knew that she had written a handful of brilliantly original poems, but she hated the idea of aspiring to the status of a professional, and after around 1930 she didn't even bother to send new pieces to interested magazines. One thinks of the poet in Cocteau's *Orpheus*, who, when asked his deepest wish, replies, "*Écrire, sans être écrivain.*"

Loy's dilettantish approach to the various arts that appealed to her—she was not only a poet, but a painter, a collagiste, a novelist and a commercially successful designer of lampshades—makes assessing her work a hazardous business. In *The Dial* in 1926, Yvor Winters, of all people, claimed that Loy's poetry offered "a solid foundation in place of Whitman's badly aligned corner-stones, a foundation which is likely to be employed, I suspect, by a generation or two." It is hard to think of a less appropriate image for Loy's capricious poetics than that of architecture. In her best work, a mordant self-awareness constantly ironizes the quest for some metaphysical grounding beyond the mutabilities of "serial metamorphosis," to borrow a phrase from her late poem "Ephemerid." Her unfinished autobiography was to be called *Islands in the Air*, and in a late prose text made up of a sequence of spiritual meditations she reaches only the throwaway conclusion that "being alive is a queer coincidence."

Loy's indifference to the grand narratives and the cultural anxieties that structure much modernist writing is at once refreshing and disarming. Though her idiom is frequently as impacted as Hart Crane's, her relentless internal rhymes and her intensive use of alliteration and assonance suggest that it is only some haphazard, ineffable acoustic pattern that holds each poem together. The satirical and the lyrical dissolve each other to form some unstable new compound. "Lunar Baedeker," the title poem of her 1923 collection, ostensibly mocks decadent literary projections of the sublime onto the moon, yet the dazzling, icy web of the poem's language itself seems bathed in a mysterious lunar light:

> A silver Lucifer
> serves
> cocaine in cornucopia
>
> To some somnambulists
> of adolescent thighs
> draped
> in satirical draperies

In his comments on Loy in an essay in *The Little Review*, Ezra Pound applied his highest term of approval to such effects, which he saw as illustrating "logopoeia"—"the dance of the intelligence among words and ideas."

Loy was not herself disposed to advance aesthetic theories that might justify or explain her work. She seems to have been unbothered by the sporadic nature of her interest in writing. Poetry, like being alive, was a "queer coincidence," more a symptom of her liberation from repressive conventions than the means of her escape. In a striking poem composed in 1919 called "O Hell," she most clearly endorses Pound's injunction to "make it new," but unfettered desire rather than high culture or spiritual truth seems the dominant element in her imagined utopia:

> Our person is a covered entrance to infinity
> Choked with the tatters of tradition
>
> Goddesses and Young Gods
> Caress the sanctity of Adolescence
> In the shaft of the sun.

The lines conjure up an almost Blakean vision of innocent sexual congress nurtured by potent, benevolent solar rays.

The "tatters of tradition" inhibiting Loy's own energies derived from a repressive late Victorian upbringing and the miseries that she suffered as a result of her parents' unhappy marriage. In the caustic long poem "Anglo-Mongrels and the Rose" (1923-25), Loy anatomized in savage detail the failure of her parents' relationship and the effect of their mutual hatred on her development. Sigmund Lowy (Loy dropped the "w" soon after leaving home) was a Hungarian Jew who emigrated to London in his early 20s and soon became a prosperous tailor. Calling him Exodus in the poem, Loy implies that he never really felt at home in his adopted nation. Walking in the country, Exodus meets an English rose "simpering in her / ideological pink" whom he foolishly plucks and marries. The English rose (Alice or Ada in the poem) turns out to be anti-Semitic, rabidly class-conscious, and a fierce champion of her "divine right of self-assertion." Loy's mother attempted to offset the uncertainties of their social status by a fanatical adherence to social propriety.

Loy, who was born in 1882, and her two younger sisters were brought up on a severe diet of pious texts, lumpy porridge and insistent self-mortification. She records in her autobiography how her mother greeted the first signs of puberty in her eldest daughter with a violent tirade against the body: "Your vile flesh," she screamed, "you'll get no good out of it. Curse you." Loy felt herself to be "a mongrel girl / of Noman's land," a hybrid stranded in limbo.

In her late teens she attended art schools in London and Munich, and then in Paris, producing overblown, parodic homages to the clichés of Decadent art. It was in Paris that she met her loathed first husband, Stephen Haweis, caricatured in "Anglo-Mongrels and the Rose" as a

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ridiculous, self-obsessed aesthete, and witheringly compared to her second, the magnificent Colossus, known in the real world as Arthur Cravan. Haweis dabbled in a number of arts without much success, but for a while earned a reasonable living as Rodin's official photographer. He also attempted to market his pictures of Loy herself, swooning, soft-focused studies in which she is transformed into an enigmatic, supremely desirable *objet d'art*. In one picture, she leans alluringly forward, balancing a small Rodin sculpture on the palm of her hand, while her half-closed eyes and half-parted lips suggest the onset of some aesthetic or erotic trance.

Loy and Haweis married only to save appearances; she was four months pregnant at the time of their wedding. Within a few years both were involved in other relationships. Their first child died, and her second was the result of an affair with her doctor. Notwithstanding their many differences, in 1907 they moved together to Florence, and only separated permanently in 1913.

Loy's interest in literature—hitherto dormant—was fomented by three crucial relationships she established during her time in Florence. In 1911 she met Gertrude Stein, whom she later eulogized as a "Curie / of the laboratory / of vocabulary," capable of extracting "a radium of the word." In *The Autobiography of Alice B. Toklas*, Stein tells of showing Haweis and Loy the manuscript of *The Making of Americans*. Haweis pronounces himself fascinated but begs her to introduce some commas to help clarify her writing, while Loy, "equally interested, was able to understand without the commas. She has always been able to understand."

Stein's linguistic experiments certainly underlie the equally comma-free dissections of Loy's early poems, but her more intimate relations with the twin figureheads of Futurism, F.T. Marinetti and Giovanni Papini, provided the immediate catalyst for her sudden development into a poet in her early 30s. The Futurists promised to liberate Italy, and all of Europe, from the suffocations of an overbearing cultural inheritance. "Burn the museums," they urged. "Let's murder the moonlight." It was the Futurists who first developed the tactics that were later deployed by practically every revolutionary avant-garde of the century, from the Dadaists to the language poets. The charismatic Marinetti's outrageous pronouncements and confrontational antics generated a furious *succès de scandale* wherever he appeared. In Florence, in December 1913, a huge audience arrived armed with eggs, dried pasta, and rotten fruit and vegetables, but Loy for one was impressed by his attack on the *passatisti* (those locked in the past) whose only argument, Marinetti scornfully declared after cleanly catching an egg hurled by an enraged spectator, was "a horde of dirty vegetables."

Loy was exhilarated by Marinetti's verve and energy, and soon produced her own "Aphorisms on Futurism," complete with hectoring capitals and italics:

> BUT *the Future is only dark from outside.*
> Leap *into it—and it* EXPLODES *with* Light.
>
> FORGET *that you live in houses, that you may live in yourself*

But Loy's "Aphorisms" refuse to ratify one of the central tenets of the Futurist revolution: *disprezzo della donna*. Marinetti's virulent misogyny was an essential aspect of his determination to release the primal masculine energies stifled by conventional mores. In "Sketch of a Man on a Platform," Loy shrewdly satirizes the self-important, technologically advanced Futurist boldly asserting himself in matters of love and war:

> Your projectile nose
> Has meddled in the more serious business
> Of the battle-field
> With the same incautious aloofness
> Of intense occupation
> That it snuffles the trail of the female
> And the comfortable
> Passing odors of love

Still, Loy found herself inspired by Futurism's promise of a brave new world and attracted by Marinetti's preposterous bravado. By the end of their appropriately whirlwind affair, Loy felt convinced, after years of depression and uncertainty, that "THE *Future is limitless,—the past a trail of insidious reactions.*" Though fully aware of Marinetti's many failings and prejudices, Loy candidly acknowledged in a letter of 1915 that she was "indebted to M. for twenty years added to my life from mere contact with his exuberant vitality."

Her relations with Giovanni Papini were more complex and confusing, as her "Songs to Joannes" vividly illustrates. Papini was Marinetti's Futurist opposite and antagonist: shy, intellectual, married, spectacularly ugly, gnawed by self-doubt, Papini at first cautiously resisted Loy's advances, and then, once he had succumbed, vacillated and squirmed and retreated. In "The Effectual Marriage, or the Insipid Narrative of Gina and Miovanni"—a poem extravagantly praised by Eliot and Pound—Loy figures the unhappy lovers in their gender-prescribed spheres, Miovanni with his ego in the library, Gina in the kitchen among the pots and pans, and bitterly notes:

> To man his work
> To woman her love
> Succulent meals and an occasional caress

The series of poems that makes up "Songs to Joannes" provides a more nuanced account of their relationship. It is strange that this *tour de force* of intelligence and sophistication, of sexual directness and spiraling self-consciousness, is still absent from most anthologies of modernist poetry. Like so many early modernist texts, from Eliot's "The Love Song of J. Alfred Prufrock" to Stevens's "Sunday Morning," "Songs to Joannes" embodies a devastating critique of outdated rhetorical conventions and ossified belief-systems, but it also anticipates the decentering fluidities of post-modern poetics. Loy is deliberately vague about the circumstances of the love affair the poem describes, allowing the images themselves to function as units enacting an indecisive, though charged, erotic pursuit:

> Spawn of Fantasies
> Silting the appraisable
> Pig Cupid his rosy snout
> Rooting erotic garbage
> "Once upon a time"
> Pulls a weed white star-topped
> Among wild oats sown in mucous-membrane

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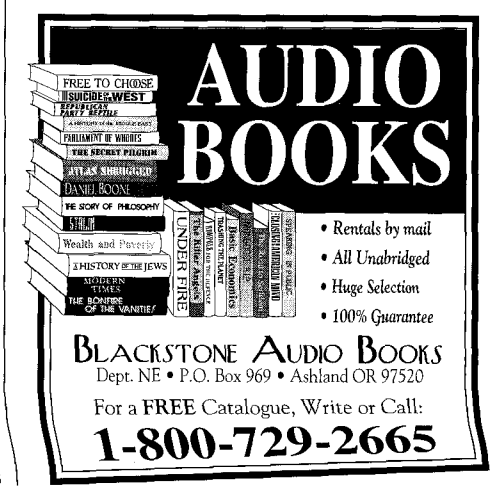
You Will Not Taste Death
Jesus and Epicureanism

Despite close Epicurean friends, Cicero called Epicureanism the most dangerous of philosophies because it undermined the virtues basic to civilization; yet it most closely approaches a modern scientific world view. Two recently discovered documents: the *Gospel of Thomas* and the *Secret Gospel of Mark* interrelate with the skeletal chronicle underlying the *Gospel of Mark* to make credible the authenticity of *Thomas'* 113 sayings of Jesus and give them context. In these Jesus speaks from an Epicurean, not Judaic, stand. Author: Jack Hannah, 321 pp.pbk, $12 postpaid. FRANK PUBLISHING, 1816 Springmill Road, Mansfield, OH 44903-8907.



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This notorious opening stanza provocatively confounds distinctions between imagined sex and actual sex. The classical god of love is reduced to a phallic, porcine snout rooting among the dreck of fantasies and possibilities for some adequate object to appropriate. The first four sections of the poem appeared in Alfred Kreymborg's *Others* in 1915 and aroused, Kreymborg later recalled, a "violent sensation," the critics complaining that Loy was either incomprehensible or pornographic or both. In fact, the poem's mixture of the indeterminate and the scabrous constitutes an extremely effective charting of the nebulous terrain of the erotic, in which excitement and disillusionment succeed one another to form an endless series of repetitive cycles. Loy's thirty-four poem sequence revolves episodes of rapture and despair, of lust and hurt, or intimacy and disgust, without either reaching conclusions or developing a clear narrative. "Love—," she muses in the one-line final section, "the preeminent litterateur." It is Loy's awareness of the provisional or merely literary nature of her formulations that enables the poem to unfold with such compelling linguistic buoyancy. If not "*the* best since Sappho," as she jokingly claimed in a letter, the sequence does exude a certain Sapphic freshness and swagger.

The failure of Loy's relationship with Papini was matched by a general souring of her attitude toward Florence and Italy. Some of her best early poems—such as "Costa Magic " or "Virgins Plus Curtains Minus Dots "—reflect upon the hapless situation of young Italian women imprisoned indoors, allowed only to squeak and flutter, "Wasting our giggles / For we have no dots " [i.e., dowries]. In her energetic "Feminist Manifesto" of 1914 Loy called for the "*unconditional* surgical *destruction of virginity* throughout the female population at puberty," as a first step to liberating women from the only two roles then available to them, "Parasitism & Prostitution."

Her friendship with the free-living Mabel Dodge encouraged Loy to believe that in America she might at last cast aside her moral inhibitions once and for all. She set sail for New York in 1916, leaving her two children Joella and Giles, aged 9 and 7, in the care of their saintly Italian nurse. Though she courageously insisted in her manifesto that "every woman has a right to maternity," regardless of her marital status, Loy seems to have been less concerned about the mother's obligations to her offspring. In any event Loy was not to see her children again for almost three years.

Loy's poetry had already been published in a number of New York's avant-garde magazines, and she quickly established herself in the city's various modernist salons. Only two months after her arrival she performed in a one-act play by Kreymborg called *Lima Beans* with a lovestruck William Carlos Williams, and had become friends with Marcel Duchamp, Francis Picabia, and Man Ray. She was even declared "a clever and a sound philosopher" by the fastidious Marianne Moore, whose poem "Those Various Scalpels" is generally interpreted as a portrait of her glamorous rival. Moore admiringly evokes the cosmopolitan magnificence of Loy's appearance and manner, but hints at some disjunction between the sophistication of her "weapons" and the banality of surrounding circumstances: "But why," Moore wonders, "dissect destiny with instruments / more highly specialized than components of destiny itself?"

This mismatch was to end, but oh so briefly, when she met Arthur Cravan in 1917. Cravan, who became the Dadaists' ultimate hero, was born Fabian Avenarius Lloyd in Switzerland in 1887. His father, Otho Lloyd, was Oscar Wilde's wife's brother, though far from proud of the connection; when the Wilde scandal erupted he changed his name to Holland to distance himself from his disgraced brother-in-law. Cravan, on the other hand, often boasted of his relation to Uncle Oscar, and even claimed a resurrected Wilde came to visit him in 1913, bestowing on his nephew the ambiguous blessing, "You are a terrible boy." Cravan initially made his name not through literature but through boxing. For a time he was light heavyweight champion of France (though only because his opponent didn't show up), and in 1916 in Barcelona he fought the world heavyweight champion, Jack Johnson, going down in the sixth round. This bout was more a money-making stunt than a genuine contest, for it seems that Cravan was only an average pugilist.

As a literary combatant, however, he never pulled his punches. From 1912 to 1915, he published a magazine called *Maintenant* in which, under various different pen-names, he attacked virtually every artist and writer resident in Paris, with an especially contemptuous emphasis on André Gide, whose Lafcadio, inventor of the *acte gratuit*, is modeled on the anarchic, amoral Cravan. Cravan's famed "lectures" owed something to Marinetti's insolent performances. A full house turned up at the *Noctambules* in Paris to watch Cravan commit suicide by drinking a carafe of absinthe, wearing only a jockstrap, though in the event the poet-boxer merely harangued the audience for their prurient interest in his death. In New York he was engaged to talk on "The Independent Artists of France and America" at the Grand Central Palace. Plied with drinks beforehand by Duchamp, Cravan wobbled to the lectern, undressed, hurled his clothes at the audience, and then began roaring obscenities until arrested and thrown into jail.

For Loy, he was the "acme of communion / who made euphonious / our esoteric universe," as her plangent elegy "Letters of the Unliving" phrases it, uniquely able to transform whatever he touched. In her memoir of their relationship she wrote, "Light—passed through the poet Cravan—became brilliance." Cravan, despite his aggressive instincts and impressive physique, was violently anti-militaristic. Called up for action by

Jealousy

I, putative poet, I,
with goat ears alert
and chewed up nails
and hirsute back,
I, with Judas eyes averted,
moaning like a sluttish dove, I,
with numb lips and tight throat,
believing hope
is a shallow man's illusion:
is this my portent of Hell?
Mine, the cottage, heaped with roses, by the sea.
Mine, the ill-behaved boys rifling the life.
Mine, the fame, that demi-god, subordinating me.
The imagination, like a milk bucket,
is filled with dung:
is this my altar-shrine?
Something is biting me over the eye, drawing blood.
My scrotum dangles like a street dog's.
Self-esteem, like herring-bone pavement,
is breaking up in cartfuls.
Where is the comfort of pears on a window ledge?
To be alone is to be a stranger.
I am he.
This is my autopsy.

HENRI COLE

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the American military authorities in the summer of 1917, he decided to escape, disguised as a soldier, to Mexico, where Loy later joined him. In January 1918, they married.

Their funds dwindling, Cravan arranged a fight with an American boxer named Jim Smith, hoping to repeat his lucrative contest with Jack Johnson. Unfortunately, Smith dispatched his opponent in only the second round, and the angry crowd demanded a refund. As the military authorities began to close in on the Slackers, as draft dodgers were known, Cravan and Loy—who was by this time pregnant—drifted down to Salina Cruz on the west coast of Mexico, from where they hoped to make their way to Buenos Aires. They bought a small, leaky sailing boat with the idea of patching it up and trading it in for a more seaworthy vessel. In early November, only days before the Armistice was signed, Cravan set sail in the repaired craft for the nearby coastal village of Puerto Angel. The weather was fine and the boat apparently in good shape. Loy waited for days on the beach, gazing out to sea, but Cravan never returned.

It seems likely he simply drowned, though neither his boat nor his body was ever recovered. Over the following decades it was frequently rumored that he had resurfaced under a new alias, and even that he was responsible for a series of Oscar Wilde forgeries that bamboozled Wilde experts in the early 20s. For years Loy followed up every possible lead, only gradually coming to accept that she would never see her "Colossus" again.

Their daughter, named Fabi, was born in April of the following year. Loy returned to Europe, but found it difficult to settle. Her poem "The Widow's Jazz" most directly expresses the trauma of Cravan's disappearance, figuring her desire as recessed to "the distance of the dead," numbly searching "the opaque silence / of unpeopled space." But Loy was not the type, even in widowhood, to allow her life to become a blank. In 1923, Robert McAlmon published *Lunar Baedeker* (with the title misspelled "Baedecker" on the cover and the title-page), which included, along with a selection of her early work, a series of poems written in 1921-22. Many of these new pieces dramatize her struggle for expression against seemingly overwhelming odds.

Loy writes poems celebrating figures such as Edgar Allan Poe, Brancusi, James Joyce and Wyndham Lewis, and in "Apology of Genius" defends the "criminal mystic immortelles" of the leprous artist against the sweeping "censor's scythe." In the wonderful "Der Blinde Junge," Loy describes a blind war veteran busking for small change on the streets of Vienna:

> Void and extinct
> this planet of the soul
> strains from the craving throat
> in static flight upslanting
>
> A downy youth's snout
> nozzling the sun
> drowned in dumbfounded instinct
>
> Listen!
> illuminati of the coloured earth
> How this expressionless "thing"
> blows out damnation and concussive dark
>
> Upon a mouth-organ

The poem delicately picks its way between the sardonic and the sentimental, renouncing all easy options, its ringing final line somehow triumphant and bathetic at once.

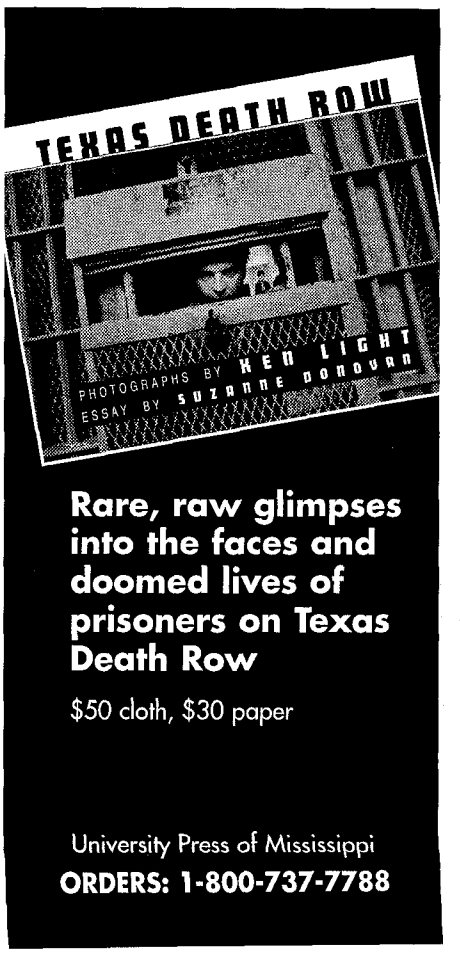
Not all of Loy's poetry is as skillfully controlled and impassioned as this. Her formidable powers of compression can leave the poems gasping for air. In her tribute to Gertrude Stein, Loy praised her for having "crushed / the tonnage of consciousness," and her own idiom can similarly seem the result of aeons of concerted pressure on language. It is not a style that can be made to suit every genre; "Anglo-Mongrels and the Rose" in particular suffers from Loy's relentlessly elliptical methods. Roger L. Conover is probably right to exclude it from his new selection of her work, which offers instead some fifty pages of detailed notes outlining the publishing history and critical reception of each of Loy's poems.

"Anglo-Mongrels and the Rose" appeared in 1925, by which time Loy was a leading name in modernist circles. She cared nothing, however, for literary politics, for canons and hierarchies, indeed probably never thought of herself as primarily a poet. In Paris, in the '20s, she set up in business designing lampshades constructed mainly from materials picked up in flea markets. In the early '30s she turned artists' agent, helping Julien Levy, her elder daughter's husband, develop his New York gallery into the leading space for Surrealist art. She wrote a *roman à clef* called *Insel* based on her friendship with the German painter Richard Oelze, a text which, though more or less finished, remained unpublished until 1991. Other fictional projects waxed and waned.

In 1936 she moved from Paris to New York, where she attempted, without much success, to market her designs and inventions. In the '40s, she took a room in the Bowery district of New York, where she hung out with bums and drunks, scavenging litter from the streets with which she fabricated a number of assemblages depicting the lives of the destitute. Her few poems of this period, such as "Hot Cross Bum" or "On Third Avenue," are concerned with the "compensations of poverty," the delirious world of the "choicelessly corrupted," the "blowsy angels" of the New York streets. Eventually her daughters persuaded her to abandon her Bowery comrades, and settled her in Aspen, Colorado, where she died in 1966.

Loy moved in so many different spheres, through so many phases, that it is difficult to be sure of the best way to define her achievement. In this superb biography, the first ever, Carolyn Burke does full justice to the mercurial nature of Loy's temperament, and offers judicious assessments of her work. Burke captures the glamour of Loy's presence and the cutting edge of her wit without ever lapsing into the rapturous Loy-worship that often mars discussions of her life and writing. Perhaps these two books will at last secure Loy's entry in the unlunar Baedekers of modernism that have hitherto ignored her pure "radium of the word."

MARK FORD is a lecturer in English literature at University College, London. He is writing a book on the French writer Raymond Roussel.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Misrule Britannia

BY ANTHONY PAGDEN

The Rise and Fall of the British Empire by Lawrence James

(St. Martin's Press, 704 pp., $35)

On his march into Syria in 190 BCE, the Roman general Publius Scipio was met by Heraclides, the ambassador of the Syrian emperor Antiochus III. Heraclides attempted to persuade Scipio that Rome had already expanded far enough for its own good. "Let the Romans limit their empire to Europe," he warned. And he added, prophetically, that "it is easier to gain territory piece by piece, than it is to keep it as a whole." Scipio was unimpressed and marched on. The Roman conquest of what the Romans always called "the world" had begun. When, nearly six centuries later, the empire Scipio helped to create began to collapse, it did so, as Heraclides had predicted, because it had proved impossible to keep together as a whole.

The story of Scipio's meeting with Heraclides, as told by Livy, has haunted empire builders to this day. For every empire the world has ever known has suffered the same fate. Enthusiastic expansion is followed by brief stability and prosperity. The metropolis becomes overconfident and allows itself to be engulfed by the inertia that previous generations, from Machiavelli to Baden-Powell, have called "corruption," though we might be inclined to identify it with excessive bureaucracy, with political, military and economic inflexibility. Soon the peoples on the frontiers break free. Their example is followed by others in other parts of the empire. The center, now weakened and overextended, is no longer capable of offering effective resistance. Gradually the whole structure is dismembered in a series of bloody struggles, and finally the metropolitan power itself declines into a provincial backwater.

It is what befell the Spanish empire in the seventeenth century, and the Austro-Hungarian empire in the nineteenth century, and it is has now overtaken the Soviet empire. It is also what became of the British empire. And it is essentially the story that Lawrence James has to tell. His book follows the fortunes of Britain's sustained attempt to dominate or to exploit much of the non-European world from the first colonies in America until the final, agonizing process of decolonization in the 1960s. Although it is resolutely old-fashioned in its disregard of nearly all the recent work that is explicitly critical of empire (and much also that is not), it offers a clear, simple, and sympathetic narrative of a very long period of the history of Britain, and of those peoples who suffered or benefited from the British presence.

The British empire (or so its apologists believed) was different from all other European empires. The Victorians and the Edwardians who lived at its zenith insisted that it had been acquired, in the words of Sir John Seeley, its greatest nineteenth-century historian, in a fit of absentmindedness. It was different also in that it was, essentially, two empires. The first began with the conquest of Ireland—Elizabethan Ireland is not mentioned anywhere by James, but it was the first English colonial project—and collapsed with the secession of the American colonies. The second began in India in the 1680s and survived until the 1960s.

The first of these claims, that the empire was an unplanned, unmotivated accident, is absurd. The English in the Americas in the sixteenth and seventeenth centuries were as driven by ideological convictions, by a belief in the right of the English Crown to expand indefinitely throughout the world and to impose its religion and its way of life on those who did not share them, as did their great rivals, the French and the Spanish. For much of the seventeenth century, imitating and subsequently overtaking Spain had been the prime objective of most of the champions of the Virginia Company. The English, declared the preacher Robert Johnson in 1609, might have lost "the first opportunity," but he was convinced that soon they would "make good the common speed," for they "are best at imitation and so do soon excel their teachers."

Where the English colonies in America differed from the Spanish and French was in the degree of legal autonomy that the Crown was prepared to grant the colonists. Unlike New France and New Spain, New England was in effect a self-governing community. At the time of the earliest settlements, the English Crown was ill-equipped for effective control over distant provinces. It was far easier to allow the colonists to govern their own affairs than to bear (as the Spanish and the French had done) the crippling costs of administration, costs which were largely responsible, or so many believed, for destroying the Spanish empire by the end of the sixteenth century. For much of its early history, and with the exception of the "Sugar Islands" of the West Indies, British America, unlike Spanish America, also produced very little that was of immediate value to the "mother country." With no natural resources that could easily be transported to Europe, the British could only tax their colonies.

When Britain attempted, in the eighteenth century, to reorganize its empire in America, to impose the kind of control and to reap the kind of benefits that it had begun to receive from India, it was too late. By then, the people of British America had a far more powerful sense of their rights than any other colonial people, and also the determination to defend those rights. When George III attempted to meet the colonists' demand that their ancient charters be respected with simple force, the "First British Empire" was doomed. In 1775, Edmund Burke warned the House of Commons that government in such distant lands could only be maintained with the consent of the governed. It was, he said, "the immutable condition; the eternal Law, of extensive and detached Empire."

The claim that there were essentially two British empires, by contrast, has much to recommend it. And it is probably true that the second of these empires owed its origins, if not to absentmindedness, then at least to progressive amnesia. For the British had learned something from 1776. They had learned what enlightened Spaniards and Frenchmen, radical dissenters such as Josiah Tucker, and even conservatives such as Edmund Burke and Adam Smith had told them throughout the War of American Independence: that empires brought disaster on colonizer and colonized alike. They were monstrosities whose administration involved unacceptable levels of cruelty and injustice which would seep back home to corrupt the metropolis. You cannot practice slavery overseas, as Montesquieu warned, and remain a free man at home. Spain, and more distantly Rome itself, had been overtaken by just such corruption. Inevitably, so would Britain.

Indeed, as the American colonists insisted, this had already happened—which was why they felt no longer bound

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to offer their loyalty to the British Crown. The solution, as the British came to understand it after the loss of America, was to abandon all future projects for empire and to replace them by trading federations. Europeans would cooperate with local rulers and use their unquestioned superiority both on land and at sea, not to create colonies but to generate new trading routes. The Europeans would simply skim off the natives' surplus goods. This would bring wealth without conquest, without the burden of administration, without the need for settlement, without the threat of future colonial wars.

This is where British India, and to a lesser degree what was to become British Africa, began. The East India Company, founded as early as 1600, started as a simple trading company. Its creators had shared the same misgivings about overseas expansion as Burke and Smith were to voice in the 1770s. They believed that Britain's future lay at sea, and that wealth created by commerce was a more desirable and more powerful force in the international arena than land or people. Spain had been the most extensive empire on earth. By the end of the seventeenth century, however, its power was arguably weaker than that of tiny Holland. Like the Dutch, the "aristocratic republicans" who ruled the Company in its early years did their best to replace the ancient and essentially monarchical pursuit of military glory with the ethos of profit.

But this transformation could not hold for very long. As late as 1740, the Company was still, as James describes it, a "purely commercial enterprise" with "factories," armed by essentially peaceful trading stations, in Bombay, Madras and Calcutta. It was unconcerned with territorial expansion and largely untroubled by local politics. Such skirmishes as its ships engaged in were with other European powers attempting to break into what had become virtually a British monopoly. By 1815, all this had changed beyond recognition. The Company now commanded the most powerful army in India. It ruled, directly or indirectly, Bengal and much of the Upper Ganges. It was a military presence not only in India, but more widely in Asia. Since the 1780s, its army and its navy had seen action in Arabia, Mauritius, Malacca and Java.

In 1858, the Company was dissolved, and all its assets were transferred to the British Crown. What had become in effect a state within a state now became the basis for all future British power. And, through much the same period, the British were consolidating their hold over Australasia, and beginning their conquest of southern Africa. By the second half of the nineteenth century, Britain had become once again an empire, one which was now stronger and more determined than its eighteenth-century predecessor had been to ensure that all the benefits to be had from its new colonies flowed directly, and uninterrupted, to the metropolis.

How this change came about, how the British managed to unlearn the lessons that Burke and Smith had urged upon them less than 100 years before, is not hard to see. Competition with other European powers meant that trade had always been, as Hume observed, a way of pursuing war by other means. Paradoxically, too, the richer a nation became through peaceful means, the greater its ability to make war successfully. Britain discovered that, in order to secure its monopolies, it was simpler to coerce than to cooperate with local rulers. Exploitation thus gradually replaced commerce. And, as the military machine grew, its administrators forgot what they had once been, or why they had come in the first place.

By the end of the Napoleonic wars, Britain had become, as it would remain, a highly militarist nation. The identity of this new imperial nation is captured by the man who is still its favorite national hero, Horatio Nelson. He was an admiral, not a general: Britain has always thought of its empire as essentially a maritime one long after this ceased to be true. Nelson helped to establish British hegemony over her only serious rival, revolutionary France; and he died, appropriately, because he refused, even in battle, to remove the garish collection of medals which adorned his mutilated body.

Britain's new empire, in defiance of Heraclides's advice to Scipio, continued to expand, until by the early years of this century half the globe was under British rule. "C is for colonies," declared the *ABC for Baby Patriots* published in 1899:

> Rightly we boast,
> That of all the great nations
> Great Britain has the most.

Such an empire, although acquired less by design than through the logic of commercial practice in the late eighteenth century, could not survive for long as the expression of a fit of absentmindedness. For this empire, unlike its American predecessor, had not been born of a desire to find a haven for those whom the great propagandist for the Virginia Company, Richard Hakluyt, once called "superfluous peoples." Nor had it been created so as to make possible "new" Englands overseas, where essentially old values might be preserved. It was instead the fruit of that most sinister of the legacies of the European Enlightenment: nationalism.

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The new nationalism was driven by a new kind of ideology provided by the rise of the medical and positivist social sciences in the nineteenth century. This celebrated the racial superiority of the "Anglo-Saxon races," as they preferred to style themselves. It thrived on social Darwinism, a semi- or pseudo-scientific racism, and was fueled from below by various strands of evangelical piety. The chapters that James dedicates to the fabrication in the nineteenth and early twentieth centuries of a new British "national character"—still, alas, the image that many Europeans and Americans have of the British—are perhaps the best in his book.

Popular literature, which extolled the heroism of men who remained schoolboys at heart and mind, created a single, undifferentiated, image of the British warrior overseas. In *Through the Sikh War*, G.A. Henty, the most prolific author of these imperial stories, set out clearly just what kind of man the empire required. "Can you thrash most fellows your own age?" he asked. "Can you run as far and as fast as most of them? Can you take a caning without whimpering over it? Are you good at planning a piece of mischief, and ready to take the lead in carrying it out?" The kind of education offered in the "public" schools, in common with the two great universities, Oxford and Cambridge, was devised to mold these proto-consuls of the empire. Here young men were provided with "character," which meant what Joseph Chamberlain in 1893 called the "spirit of adventure and enterprise distinguishing the Anglo-Saxon race," something which, in his view, "has made us peculiarly fit to carry out the working of colonisation."

Character was always more important than intelligence. The French were intelligent. The British had "bottom." The British ruling elite's continuing suspicion of any kind of thinking, captured in our day by John Major's pride in the poverty of his formal education, has its origins in the imperial ideologues' insistence on the primacy of thoughtless courage and unquestioning loyalty over reflection. The end product, as James drily observes, "was a Christian gentleman with a stunted imagination, who played by the rules and whose highest aim was to serve others."

Driven onwards in this way there were few, or few whose voices could be heard, who were prepared to heed Heraclides's warning. But if Britons singularly failed in this way to understand that, in the end, all empires are doomed to repeat the same dismal pattern, they did learn other things from the Roman example, some of which helped prolong their empire far beyond its expected limits. One was that you can rule a people only if that people shares a common interest with you. The Romans had offered its conquered peoples "civilization." So, too, in their way did the British. Civilization, as they understood it, was a blend of technology and a wide measure of the creature comforts that technology could provide; a life lived according to the rule of law; even the promise of limited wealth. In many regions of the world, this proved to be immensely enticing for those who were in a position to benefit from it.

The British also marched under the banner of the great unifying faith of Christianity, as had other European colonizers. In the British case, this meant what James calls "the Mosaic and Pauline 'thou-shall-nots' " and the determination to enforce the Protestant work ethic. They even incorporated large numbers of their subjects into the metropolitan administrative elite, to the extent of conferring some of the lesser titles of nobility upon Indians, Cypriots and Egyptians, though not Africans. Like the Romans, they believed in the advisability of what became known as "indirect rule." And they interfered, at least in Asia and the Middle East, as little as possible in the customs and the beliefs of those whom they colonized. The "white man's burden" consisted largely of a duty to convey the truth of the Christian religion, the merit of covering the body from neck to ankle in (highly unsuitable) clothing and of observing certain (predominantly sexual) norms.

But these things were imposed fitfully, and never when they threatened the political and economic relationship between the empire and its subjects. India and Africa have undoubtedly been transformed by British rule. But except perhaps in South Africa (whose cultural fate still remains, in this respect, highly uncertain), the British never attempted to create the kind of Creole societies which the "first European empires" left behind in America, and which have all but erased the aboriginal populations.

Still, the damage done by the British empire to the worlds over which it ruled is literally immeasurable. This is partly because, as few of the critics of the empire are prepared to accept, we have nothing against which we can measure it. What would Africa or India have been like had the British stayed home? This is not a question that anyone can answer. James on the whole avoids moral judgments. His criticisms are generally wry and ironic. Even so, the confidence with which he ends his book comes as something of a surprise. The claim that "Britain's empire was a moral force and one for the good" seems, if you survey the condition of the world it once occupied, astonishing.

"Few empires," he believes, "have equipped their subjects with the intellectual wherewithal to overthrow their rulers. None has been survived by so much affection and moral respect." This is simply false. Most empires have equipped their subjects in this way. Simón Bolívar was no less a creature of the Spanish empire, or Franz Fanon of the French empire, than Nelson Mandela, whom James quotes approvingly (and out of context), was a creature of the British empire. And all empires have managed, at some level, to win the affection and the moral respect of those who benefited in some way from their presence. But a glance at the present state of many former colonies—Pakistan, Bangladesh (if not India itself), and Cyprus—would seem to suggest that the British presence has had disastrous consequences. It has resulted in the creation of modern nation-states which, carved from former colonial boundaries, have cut across older ethnic, tribal or religious divisions. These new nations seem wholly unable, in their present form, to transcend the circumstances of their creation.

The harm inflicted on its subject peoples, moreover, is only a part of the story of the rise and fall of the British empire. For, as the Enlightenment critics of empire recognized, the potential for damage did not stop with the colonized. The British empire, like the Roman and the Spanish empires, had a persistent and calamitous impact on the metropolis itself. Britain's supremacy had always been firmly linked to the survival of its empire. "As long as we rule India," declared Lord Curzon in 1901, "we are the greatest power in the world. If we lose it we shall drop straight away to a third-rate power." The drop has taken a little longer than Curzon anticipated. But there can be little doubt in most people's minds that Britain is now a third-rate power.

Until the Second World War, the empire masked real structural weaknesses in the economy at home, and had done so since at least the closing years of the nineteenth century. Even today, much of Britain's economic difficulties derive from the nation's seeming inability to restructure its economy to the needs and the resources of a post-imperial world. And the legacy of empire has been felt most keenly in the network of expectations, social attitudes, and political suppositions that constitute the nation's political culture. Despite sweeping constitutional reforms in the late nineteenth century, the empire has kept Britain out of the mainstream of political and social development of both Europe and North America. Britain is the only European state never to have suffered a revolution and

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never to have been invaded. And although revolution and invasion are hardly desirable in themselves, they did force upon the reluctant monarchies of mainland Europe the changes which have made those nations so successful in the postwar world.

Owing to its imperial past, Britain stands alone and unreformed. It is the only monarchy (with the possible exception of Spain) whose monarch, in theory at least, still exercises executive power and is the formal head of the nation's armed forces. It is also the only monarchy whose continuing, if increasingly precarious, existence still exercises a formative influence over the entire structure and composition of its ruling class. It is the only state in the world where a hereditary aristocracy still has direct access to real, if somewhat muted, legislative power. It is one of the very few states, and the only one in Europe, with no written constitution, no bill of rights, no legally guaranteed freedom of information.

British democracy, which empire builders from Oliver Cromwell to Cecil Rhodes regarded as one of the sinews of empire, is certainly not what most North Americans, nor most Europeans, would understand by the term. The progeny of the "mother of parliaments" still looks a lot more like its parent, the ancient feudal estates, than Congress. This is not to deny that, in most crucial respects, Britain is a democratic country; but the institutions that safeguard the democratic processes are curiously unsuited to their task and can easily be subverted, as happened during the Falklands War—the latest imperial skirmish in which Britain has been involved.

It is this legacy of empire that also conditions much of Britain's relationship with the European Union. Much of this conflict between Britain and the other states of the Union turns on the question of sovereignty. Margaret Thatcher, and those who think like her, have always maintained that sovereignty should be exercised only by the elected parliament of Westminster, not by what the British press calls "Brussels." The British idea of what constitutes sovereignty, like so much else in the national culture, is nationalistic and archaic. It consists in the belief that all legislative and executive power must remain firmly under the control of the representatives of the nation-state. Once voted into office, by a first-past-the-post electoral system that only allows the wishes of a small percentage of the electorate to be represented, the government exercises absolute power over its citizens. No institution, no body, not even (in Thatcher's estimate) local assemblies within Britain itself, should be allowed to "dilute" it. Such a definition of sovereignty assumes that any sharing of power between states within a broadly conceived federation implies the absolute alienation of that power.

This is a conviction born of the experience of imperial rule, a conviction that in many respects has its origins in the mistakes of 1776. What Britain learned from the loss of its American colonies was that colonists should never be given any but the minimal access to autonomous political authority. Until the mid-twentieth century, Britain managed to prevent insurgency in the colonies that it had acquired in Asia and Africa because (or so it was believed) these peoples had never been permitted to dilute the authority of the metropolitan government. Natives had frequently been allowed to control their own affairs so long as this did not conflict with the interests of the metropolis. Colonists, however, had always been dependent upon London. Sovereignty for the British thus became, or remained, what it had been under the absolute monarchies of prerevolutionary Europe, "indivisible as a point in geometry." It is this conviction, which the experience of post-imperialism has done so little to diminish, that is expressed in Britain's attitude toward its partners in the Union. They are, and can be, only partners in what Benjamin Franklin described as "external" rather than "internal" legislation.

Another legacy of the empire, and especially of that imperial culture which James describes so well, is the lasting confusion of "national" sovereignty with a "national" way of life. This assumes, as many nationalists have assumed, that culture is merely a by-product of power. Take away even a portion of that power and your culture will evaporate. Demonstrating this has largely focused on those areas where European legislation—which is always treated as if it were entirely hostile to British interests and drafted without British consent—seems to threaten directly hallowed British artifacts, mostly those which, like all such "traditions," are of recent invention: the double-decker bus, warm beer, the greasy (and now probably venomous) British sausage, and so on. The gutter-press in particular employs these simple shibboleths, to lambast what it sees as those responsible for the final stage in the dismemberment of a once great Great Britain.

It is true, of course, that the "British way of life" has changed dramatically in the past decade. It has become less insular and less chauvinistic as it moves inexorably away from all memory of its imperial past. But, far from being deplorable, these changes have been welcomed by the mass of the population, weary of the impoverished dress codes and monotonous diet of the immediate postwar era. Moreover, such things, though directly attributable to "Europe," are in fact the inescapable consequences of modernity; and, since many of them come from across the Atlantic, their cultural origins are far from clear.

It is also false to assume that a nation that shares power surrenders its identity. Those great conglomerates of the past, the Spanish Habsburg empire and the Austro-Hungarian empire, had little discernible impact on the cultures or the ways of life of the various peoples of which they were composed. And if the modern European Union has any historical model it is these, not, as the "Euro-skeptics" within the British parliament like to suggest, the Soviet empire or the Third Reich.

No other state in the European Union believes that its identity is threatened by sharing legislative, and a certain measure of executive, authority with other nations—certainly not the French, who are the keenest advocates of a federal Europe and yet maintain the firmest grip on their national identity. The British do believe this, because its institutions of government are still predominantly modeled on imperial ones. It is of some cultural significance that twice a year the Queen hands out awards to small businessmen rather than soldiers of fortune, and they are called "The Order of the British Empire" and "Commander of the British Empire."

Britain now urgently requires a bill of rights and a modern constitution. It requires a reform of the electoral system, incorporation into the European Convention of Human Rights, and something legally more substantial than a minister responsible for "Open Government" (a person whose role to date seems to have been to cover up a series of embarrassing scandals that in the United Sates would have resulted in more than one major politician having to face a grand jury). A post-imperial power requires radical rebuilding. The model that the new Britain should have before it is not some highly selective version of Victorian England, but a state such as Holland, with which the older pre-imperial Britain once so closely identified itself. It should become an efficient, just, enlightened, and small republic that as Montesquieu once said of the English themselves, "hides beneath a monarchy."

ANTHONY PAGDEN is the author of *Lords of All the World: Ideologies of Empire in Spain, Britain and France, c. 1500-c. 1800* (Yale University Press).

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WASHINGTON DIARIST

Brainstorms

SO MANY VIRTUOUS CRUSADES ARE cresting in President Clinton's second term that they can easily get in each other's way. How else to explain the airing of Rob Reiner's star-studded ABC special about early childhood development, "I Am Your Child," in April, when families all across America were supposed to be observing National Turn-Off Your Television Week? But I was grateful, because otherwise my kids might have joined me in watching the show. They tried to dissuade me from the prime-time spectacle with reminders of the family pledge we'd all taken at the behest of their schools: no TV (except for maybe an Orioles game). "Look, right here, I'm your child," my daughter offered. "You're going to write about it, right?" my son said, miffed that he had to start a book report while I lounged in front of the tube. The obvious solution would have been to tape the show for subsequent viewing in May. But nobody in our media-challenged household remembered how to program the VCR. So I went upstairs, turned on the TV and tuned out the evening ritual that I knew the show would urge all parents never to miss: the synapse-soldering experience of family reading.

I WASN'T EXACTLY EXPECTING A PBS-style sermon on the importance of childhood and the responsibilities of parenthood. But I had no idea what was in store. "I Am Your Child" wasn't schlocky, celebrity-mad TV. It was schlocky, celebrity-mad TV trying to be wittily ironic about its schlockiness and celebrity-madness. ABC wasn't about to make us sit there while a cast of Hollywood stars soberly preached about their commitment to caring for children during those crucial years between birth and three when the brain circuitry is being wired. Moralism is getting a face-lift in fin-de-siècle America. Why be a sanctimonious prig about helping kids when you can be a wiseguy about it?

SELF-MOCKERY SEEMS TO BE GIVING self-righteousness a run for its money everywhere these days. On the morning of April 28, the participants in a pep rally at the Presidents' Summit For America's Future were seized by the same irreverent high-spiritedness on display in "I Am Your Child." President Bush mugged and mangled his syntax for laughs. That evening, the glittery cast assembled by Reiner took its turn giving goo-gooism new zing. Rosie O'Donnell, Roseanne, Billy Crystal, Charlton Heston, Tom Hanks, Robin Williams and Mel Brooks had been crammed with the latest brain research findings. Then out spewed the scientific soundbites in zany self-parodies whenever the show's serious footage—about child development and family support programs in Hampton, Virginia—threatened to get too cloying. It was like a classroom without Ritalin.

"THE BANALITY OF Pseudo-Self-Awareness" was Christopher Lasch's phrase for the kind of irony on display in the celebrities' skits, which featured the stars ridiculing themselves in their roles as pontificators. Charlton Heston, for example, appeared in a spoof on therapeutic intrusions into America's bedrooms. He materialized at an amorous couple's bedside, bearing a commandment from the LORD. That's Legion of Responsible Development, he explained to the startled pair, and the commandment was: don't make a baby unless you're going to stimulate its brain by talking to it. The apparent point of the skit was to poke some fun at the fixation on this hot new tip from the neurobiology labs. After all, sensible parents don't really need lessons in creative cooing. But, as Lasch would have pointed out, there's also a more cynical message conveyed by the self-mockery: we all know that all this talk about the importance of talk is, well, a lot of talk—and now it's on to the next segment.

ESPECIALLY COMPARED TO THE spectacle of crusading adults behaving like goofy kids, the new vision of the child that is emerging from the latest neurobiological research is intimidatingly serious. It's amazing how quickly you can find yourself looking at children in a new light. They're tyrants in the making if, like Cotton Mather, you're worried about the will; potential perverts if, with Freud, you're worried about sexual development; incipient neurotic misfits if you're a Spockian, worried about social adjustment. They're all of the above, of course, if you're an anxious late-twentieth-century parent. Or they were. Now, thanks to the April blitz on the young brain, when I look at a fuzzy, round baby head, I see a dauntingly intricate and delicate mosaic of silicon chips. PET (Positron-Emission Tomography) scans of infant brain activity have demonstrated that neural synapses are being established at an amazing rate during the first few years after birth, in response to a baby's experiences in the world. At last, a laptop you can cuddle up with! Except that a description of this miraculous computer, in *Newsweek's* special issue on "Your Child," makes interfacing with it sound like a fraught and irreversible encounter. "You cannot see what is going on inside your newborn's brain," the article warns, and it goes on in warlike language: "... you cannot see the explosive release of a neuro-transmitter—brain chemical—as a neuron from your baby's ear, carrying the encoded sound of 'ma' connects to a neuron in her auditory cortex. 'Ma' has now commandeered a cluster of cells in the infant's brain that will, as long as the child lives, respond to no other sound." This ominous owner's manual lacks that crucial user-friendly reassurance: it's okay to make a mistake.

HILLARY CLINTON SEES THE PROBlem. "I hope this information will not burden or overwhelm parents," she made sure to emphasize at last month's White House Conference on Early Childhood Development and Learning (the Conference on the Brain, for short). She's right, of course; parents shouldn't frazzle their synapses over this research—not least because there isn't actually very much science yet that translates into more than, as *Newsweek* puts it, "what wise parents have long known: kids need lots of time and attention."

THE REAL QUESTION, THOUGH, isn't whether the new semi-hard science helps *Newsweek*-reading parents give their kids a cognitive edge. The more pressing issue is whether it gives policymakers a useful new angle on social problems among America's poor. Compared to hazy statistics, even blurry brain scans convey fresh urgency: if young brains subjected to harsh conditions are irrevocably damaged—pickled in stress hormones, stripped of synapses—there's no time to waste. Still, alarmism risks being self-defeating. If children become neurologically unresilient at an early age, then only intrusive and expensive remedial efforts seem equal to the job. But if—or, let's face it, when—these don't materialize, the case for subsequent help is bound to seem weaker. For the zero to three crowd, Hillary Clinton and Rob Reiner can say they have science on their side; after that, Charles Murray can. Neurobiology does not spell the end of ideology.

ANN HULBERT

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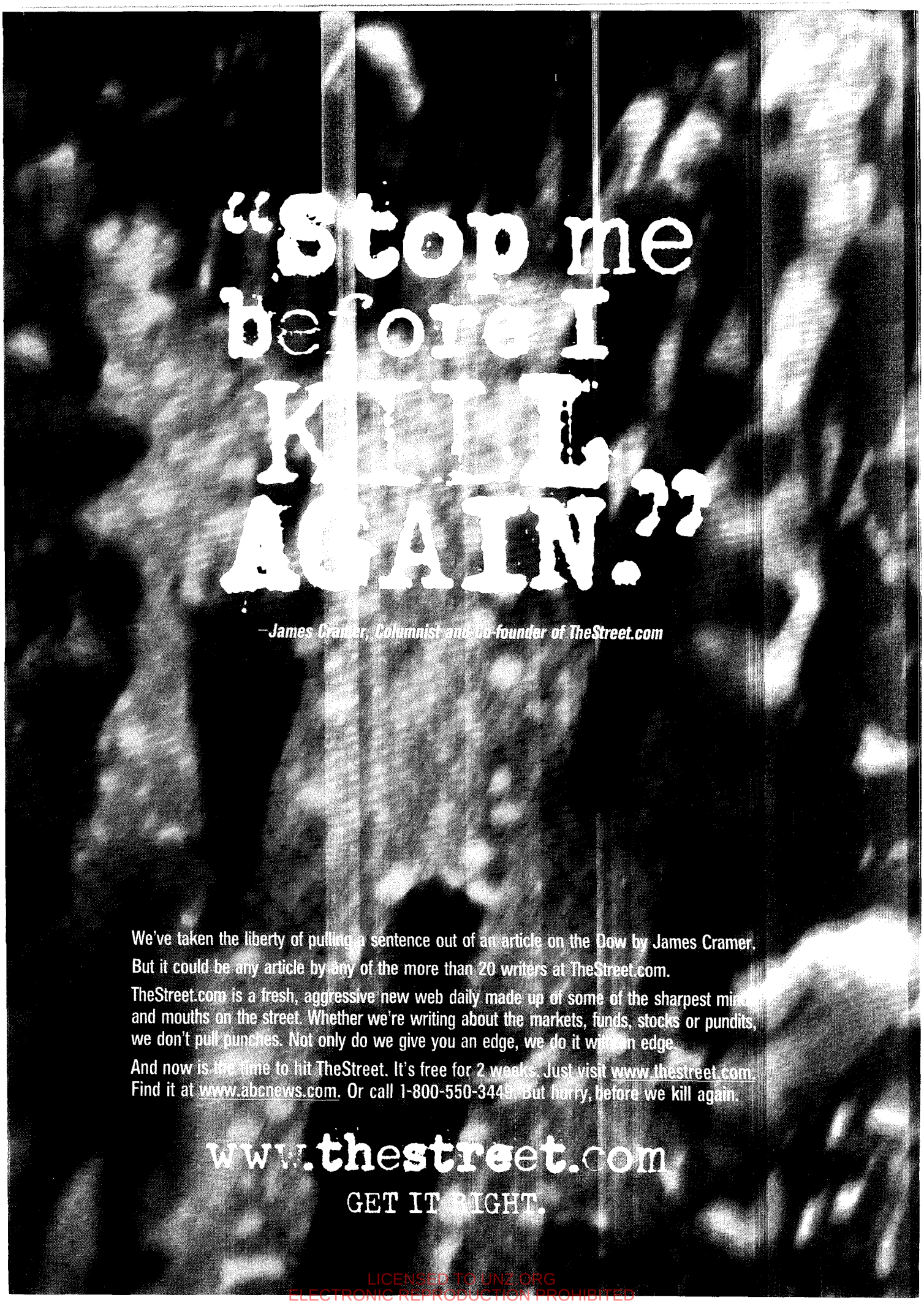
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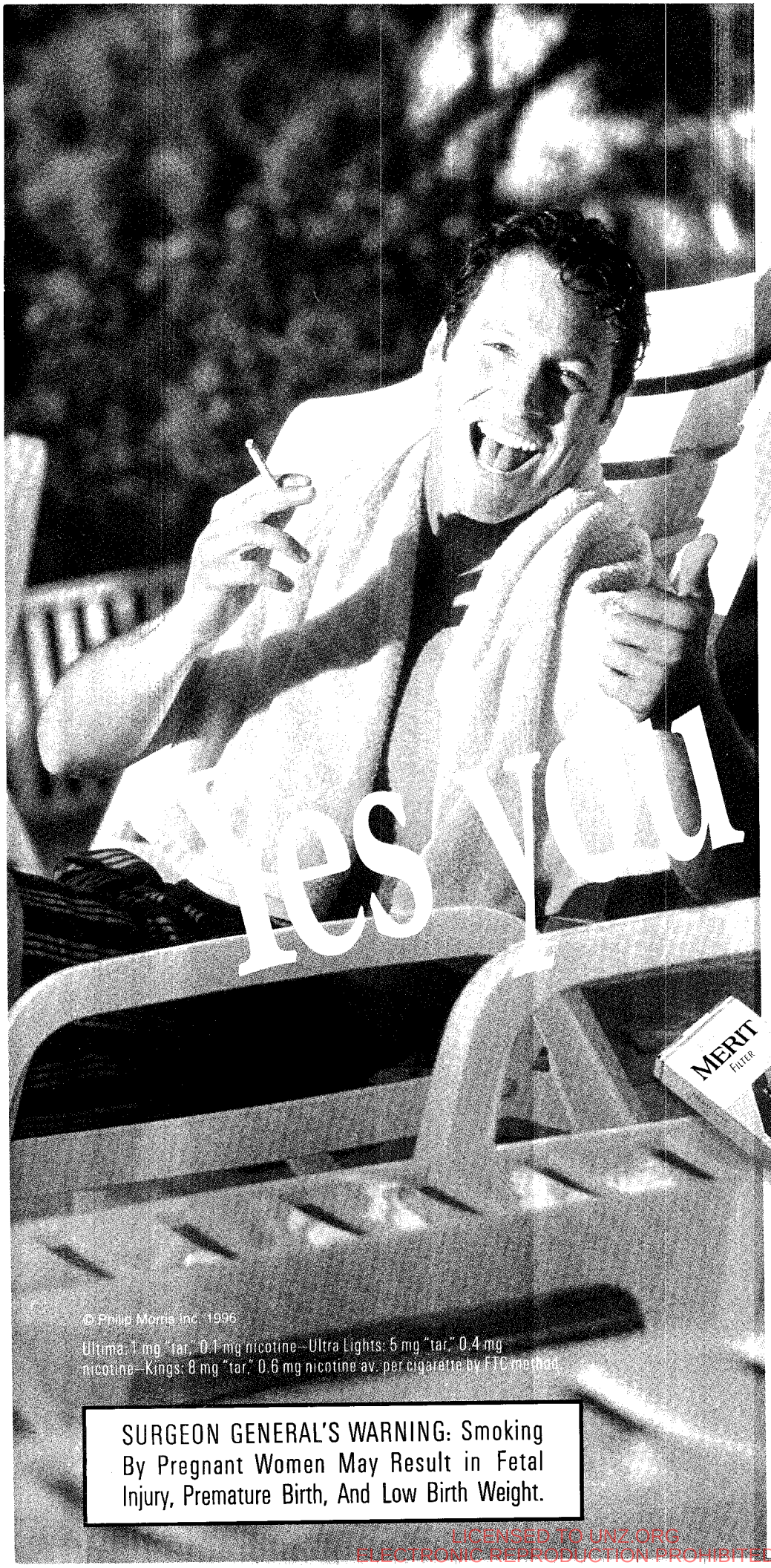

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